

## NEW YORK STATE LIQUOR AUTHORITY

## THIS IS AN APPLICATION FOR ALCOHOLIC BEVERAGE RETAIL LICENSE

It is not necessary to employ any person, agency or organization to assist you in filing this application. Beware of persons claiming to be able to assist you in securing action on your application. The payment of money or other thing of value for the use of influence, or promise of influence in obtaining a license is a violation of law and offenders will be prosecuted.

1.) APPLICANT NAME STARJEM LLC ✓

TRADE NAME (D/B/A) FRESCO ON THE GO

Premises Street Address 40 East 52nd Street

City, Town or Village New York

County New York ZIP 10022

Between what streets Park and Madison Avenues Tel. No. None yet

Premises Post Office Address (if different from above) \_\_\_\_\_

2.) ATTORNEY/REPRESENTATIVE NAME ROBERT V. FERRARI

Office Address 300 East 42nd Street

City, Town or Village New York ZIP 10017

Telephone No. (212) 972-7040

3.) Alcoholic Beverage License Class: on premises liquor CODE: 2 51 2

4.) TOTAL PAYMENT DUE ..... \$5,400.00

Date filed: 8/21/98 PM

RECEIVED  
(OFFICE USE ONLY)

SEP 08 1998

County Code #

STATE LIQUOR AUTHORITY action:

STATE LIQUOR AUTHORITY  
FILE ROOM 2<sup>nd</sup> FLOOR  
NEW YORK, NY

Approval

Disapproval

SERIAL NUMBER: OP-08468

Assigned To: \_\_\_\_\_

NEW \_\_\_\_\_

NLIE \_\_\_\_\_

APPROVED  
TRANSFER

CLASS CHANGE

Members of the Authority

ZONE: \_\_\_\_\_

COUNTY: 11/8/98

SERIAL NO: \_\_\_\_\_ CLASS: \_\_\_\_\_

DEPOSIT DATE: \_\_\_\_\_

SLIP NO: 11/8/98

FEES: \_\_\_\_\_ AUDITED BY: \_\_\_\_\_

*Waiver requirement of 2 separate  
sanitary facilities*

# EXCISE BOND UNDERWRITERS

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

100 WILLIAM STREET • NEW YORK, N.Y. 10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

**LIQUOR**

BOND EXPIRES IN

001--17

X-B12868--00

2001

BOND NUMBER

Penal Sum of Bond

**1,000.00** Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we,

Name of Applicant

**STARJEM LLC**

Address of Place of Business

**40 EAST 52ND STREET  
NEW YORK**

**NY 10022**

In the county of **NEW YORK** State of NEW YORK as Principal, and  
having an office and usual place of business at

**INSURANCE CO. OF NORTH AMERICA  
195 BROADWAY  
NEW YORK  
NY 10007**

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 20th day of August,

1998

STARJEM LLC

BY: Marion S. Cotto  
Principal

L.S.

INSURANCE CO. OF NORTH AMERICA

APPLICANT MUST SIGN HERE



*John L. Comer*  
Attorney-in-fact

(OVER)

CONDITIONS

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

Name of the applicant

Starjem LLC

Intake Processor

Date

R. Mackey  
8/21/98

**INSTRUCTIONS FOR SUBMITTING APPLICATIONS-CHECK LIST**

1. Personal check or money order made payable to NY State Liquor Authority for license fee due at filing \$ \_\_\_\_\_ plus filing fee
2. Application completely filled out (Class and code of license. Total fee due, etc.)
3. Penal bond (\$1000) SIGNED by applicant EXPIRING \_\_\_\_\_ year from date of issuance.
4. NY SLA fingerprint form filled out completely for each applicant with a \$50.00 check/money order payable to NY SLA. Must be taken by a law enforcement agency (Police Dept., Sheriff, etc.) Indicate precinct and badge number of officer taking prints.
5. Interior and exterior photos showing a full view of the rooms, size 5x7. Grocery stores should reflect the amount of groceries they have. Exterior photos should reflect a full view of the front of the premises. *Need interior see letter*
6. Personal Questionnaire for all applicant principals (stockholders, Etc.) each lender or donor.
7. Proof of citizenship: Original proof of citizenship must be submitted. An attorney's affidavit form may be completed in lieu of the original. (Copies of US birth certificates and passports are acceptable.)  
*OK fm 8/21/98 Prev. licensed*
8. All transfer of ownership must submit a contract of sale or conveyance. (Temporary permits: Two copies of the contract and 2 sets of photos plus application fee.)
9. Management/Operating Agreement for LLC and LLP applicants.
10. Copy of current license of premises.

(over)

11. Affidavit.

12. Holding Corporation Stipulation. (Green or Pink)

13. Transfers only: Liquidator Permit Application and \$25.00.  
(Separate check or money order)

14. Groceries only: Inventory stipulation form

15. List of expenses for this venture.

All applicants, except grocery and drug store beer, must submit the additional items shown below.

16. Diagram, 8.5 x 11 - Interior and front elevation.

17. Certificate of Occupancy or acceptable document from the agency in your city, town or village that regulates building occupancy and codes.

18. Landlord Identification Form.

19. Executed lease or assignment with landlord's consent in the corporation or applicant's name (whichever is applicable)

20. Statement of area plan.  500 Ft. rule affidavit for on premises liquor.

21. On premises establishment questionnaire.

22. Proposed method or operation.

23. Supplementary statement: Summer and Winter licenses.

24. Liquor store questionnaire.  Package stores: Block diagram.

25. Notification rider to community board

26. OP-Hard liquor ONLY: Two copies of the letter sent to Comm. Bd., Village or Town Clerk and original mailing receipt (green & white.)

5.) (TO BE FILLED IN ONLY BY INDIVIDUAL OR PARTNERSHIP APPLICANTS)

Name of applicant	Residence	Citizenship	DOB
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6.) TO BE FILLED IN ONLY BY LIMITED LIABILITY COMPANY OR LIMITED LIABILITY PARTNERSHIP  
 (See page 2 of the instructions for required documents, such as Management Agreement, etc.)

Name	Member or Manager Position	% of Ownership Interest
MARION SCOTTO ✓	Member	25%
ANTHONY SCOTTO, JR. ✓	Member	25
ELAINA SCOTTO-FAUCETTA ✓	Member	25
ROSANNA SCOTTO ✓	Member	25

NOTE: Paragraph 5 of the operating agreement provides that the Applicant shall be managed by the Members.

7.) TO BE FILLED IN ONLY BY CORPORATION & LLC/LLP APPLICANTS

- (a) State under what law applicant was organized: New York
- (b) Date of organization: April 29, 1998
- (c) **SUBMIT COPIES OF UPDATED CORPORATE KIT! ( or copies of the filing receipt, the minutes showing the election of officers and directors, and all issued and outstanding stock certificates)**
- (d) If applicant is a foreign corporation, has a Certificate of authority been obtained to do business in this state? NO YES
- (e) If YES, date of certificate:
- (f) Name of principal place of business: STARJEM LLC
- (g) Address of principal place of business: 40 East 52nd Street  
New York, New York 10022
- (h) Number of outstanding shares:
- (i) List names and addresses of the STOCKHOLDERS, all OFFICERS and DIRECTORS as of the date of filing of this application:

Name of Stockholder/ Officer/Director	Residence	Citizenship	Title	No. of Shares	Birth Date
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**LIST OF EXPENSES FOR THIS VENTURE**All applicants must complete Section B.**Expense Item (Actual or Estimated):**

1. Real Property	\$ _____
2. Fixtures & Equipment	\$ 197,500.00
3. Inventory	\$ 25,000.00
4. Security Deposit	\$ _____
5. Attorney/Representative Fees	\$ 15,000.00
6. Operating Capital	\$ 49,456.25
7. Miscellaneous Expenses	\$ _____
8. SLA fees	\$ 5,400.00
9. First Month's Rent and Any Paid to Date	\$ 17,643.75
10. Renovations	\$ 487,500.00
11. Goodwill	\$ _____
12. Other (insurance)	\$ 2,500.00

13. Total Cash	\$ 400,000	(Attach verification of <u>ALL</u> sources of cash)
14. Total Deferred	\$ 400,000	(Total Deferred includes loans, mortgages, lines of credit, notes, etc. Attach copies of <u>EACH</u> source of deferred monies)

Explain in detail how deferred: Loan from North Fork Bank to Starjem LLC


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15. TOTAL COST	\$ 800,000
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**\*NOTE:** The amounts in items 1 through 12 must total the amount reflected in item 15.

The amounts in items 13 and 14 must total the amount reflected in item 15.

8(a) Does applicant occupy said premises under a written lease or option to lease? NO \_\_\_\_\_ YES X

(b) If YES, state name and address of immediate lessor  
**& submit a signed copy of lease with all terms.**  
40 Eastco  
345 Park Avenue  
New York, New York

(c) Do the terms of the lease or other arrangement require payment by the applicant of any consideration based on a percentage of the receipts of the business? NO X YES \_\_\_\_\_

(d) If YES, state percentage and give details:  
\_\_\_\_\_  
\_\_\_\_\_

9.) Is any license under the Alcohol Beverage Control Law now in effect for the premises for which this application is filed?  
**SUBMIT COPY OF EXISTING LICENSE CERTIFICATE!** (if available, if not, submit affidavit of explanation and the license number)  
NO X YES \_\_\_\_\_  
(name of current/previous licensee)

10(a) Will any other business of any kind be carried on in said premises? NO X YES \_\_\_\_\_  
(b) If YES, provide details:  
\_\_\_\_\_  
\_\_\_\_\_

11(a) Does any person not an applicant herein, or, if a corporate applicant, any person not an officer, director, or stockholder of such corporation, or any person not reported in questions above, share, or will share on a percentage basis or in any way in the receipts, losses or deficiencies of the business, to any extent whatsoever? NO X YES \_\_\_\_\_  
(b) If so, state the names and addresses of such persons, the nature and percent of their share and date acquired.  
Name \_\_\_\_\_ Address \_\_\_\_\_ Stock shares \_\_\_\_\_ Date Acquired \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12(a) Has the applicant or (if a partnership) any of the partners of (if a corporation) any of the officers, directors or stockholders any interest, directly or indirectly, in any premises or business where any alcoholic beverage is manufactured or sold at wholesale or retail, whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans? NO \_\_\_\_\_ YES X  
(b) If YES, state the name and addresses of the premises, the license number, the date the interest was acquired and the exact nature of the interest.

See accompanying Personal Questionnaires.

**STATEMENT OF AREA PLAN**

Applicants for ON-PREMISES and LIQUOR STORE licenses must complete Section D.

Are your premises within 200 feet of any School, Church or Place of Worship?      NO   X   YES \_\_\_\_\_  
If YES, SUBMIT BLOCK PLOT DIAGRAM and Complete:

(Indicate the distance in feet from proposed premises)

ATTACH ADDITIONAL SHEETS IF NECESSARY

1. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Distance: \_\_\_\_\_
2. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Distance: \_\_\_\_\_
3. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Distance: \_\_\_\_\_

SECTION M

**500 FOOT RULE AFFIDAVIT**

Applicants for On-Premises Liquor licenses must complete Section M.

In the public interest, the provisions of Section 64.7 and 64-a.7 of the ABC Law require the Authority to consult with the municipality or community board prior to granting a license for any on premises liquor license for any premises within five hundred feet of three or more similarly licensed premises. The Authority is further required to conduct a public hearing, upon notice to the applicant and the municipality or the community board.

I, MARION SCOTTO,

, state that the proposed premises:

Check the appropriate box.

X	IS within a 500 foot radius of three or more establishments selling liquor for on premises consumption.
	IS NOT within a 500 foot radius of three or more establishments selling liquor for on premises consumption.

## **LANDLORD IDENTIFICATION QUESTIONNAIRE**

**LANDLORD** must complete this section for all applications, EXCEPT Grocery and Drug store Rent.

1.) Name of Landlord 40 EASTCO  
2.) Premises address Portion Street Floor, 40 East 52nd Street, New York, NY 10022  
(Premises to be licensed)  
3.) Type of ownership: Individual  
Partnership

#### 4.) Landlord Principles:

**NAME**

## **ADDRESS**

i See attached rider

5(a) Are any persons listed on this form police officers? NO  YES   
(b) If YES, list names: \_\_\_\_\_

6(a) Are any persons listed on this form currently or previously licensed under the ABC law? NO \_\_\_\_\_ YES \_\_\_\_\_  
(b) If YES, list names and license numbers. See attached rider

**SIGNATURE OF LANDLORD.**

and House numbers:  


Phone Number: (312) 407-2400

Take

Partner

**IMPORTANT** - Signature must be same as signature on original lease—if not, furnish either affidavit in explanation, affix legible corporate seal, or submit other proof of signature's authority.

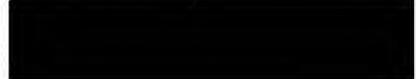
40 EASTCO

**RIDER TO LANDLORD IDENTIFICATION  
NAMES AND ADDRESSES OF PRINCIPALS OF PARTNERSHIP LANDLORD**

Jack Rudin



Lewis Rudin



Eric C. Rudin



Madeleine Rudin Johnson



Katherine L. Rudin



Beth Rudin DeWoody



William C. Rudin



Jack and Lewis Rudin, as Executors of the Estate of Samuel Rudin, and Jack and Lewis Rudin, as Trustees of a Trust under the Estate of Samuel Rudin, were previously licensed under the ABC Law as principals under the license no. IRL 26282 at the same premises (41 Madison Avenue, New York, N.Y.)

# ON-PREMISES ESTABLISHMENT QUESTIONNAIRE

All applicants, EXCEPT for Grocery and Drug Store Beer, must complete Section F.

## **Neighborhood**

1.(a) Type of neighborhood?

Residential	
Business	<input checked="" type="checkbox"/>
Shopping Mall	
Normal	<input checked="" type="checkbox"/>
Congested	
Resort	
<u>Business</u>	
NO	<input checked="" type="checkbox"/>
YES	

(b) Population density:

(c) Business or residential street?

(d) Is there any local option restriction in this area (Dry, Partially Dry)?

(e) If so, explain:  
\_\_\_\_\_  
\_\_\_\_\_

## **Premises (exterior)**

2.(a) Type of building and list number of floors:  
Office building - twenty three floors

(b) What was prior occupant of premises?  
Retail store

(c) Is view from street clear and unobstructed?  
NO \_\_\_\_\_ YES

(d) If not, state reason:  
\_\_\_\_\_

(e) Any outside area or sidewalk cafe used for the sale or consumption of alcoholic beverages?  
NO \_\_\_\_\_ YES   
An application for a sidewalk cafe permit will be filed in advance of May, 1999 so as to be obtained in advance of the Spring 1999 season

(f) If so, describe:  
\_\_\_\_\_

**Submit copy of permit OR letter from Municipality stating that no permit is required for outdoor consumption of alcohol!**

(g) Are the premises to be licensed divided in any way, by a public or private highway, thoroughfare, passageway, etc., over which applicant does not have an exclusive possession and control?  
NO  YES \_\_\_\_\_

(h) If so, describe:  
\_\_\_\_\_

## **Premises (interior)**

3.(a) On street level?  
NO \_\_\_\_\_ YES

(b) If not, what floor?  
\_\_\_\_\_

(c) How many floors do the premises occupy?  
One

(d) How many rooms on each floor?  
Three

(e) Use of rooms? Dining room, kitchen, bathroom

(f) How many bathrooms? One (see certification of Marion Scotto submitted with this application)

(g) If more than one floor what is the access between floors?

(h) What is the maximum number of persons that can legally occupy the premises? 75

(i) Number of tables? 19

(j) Number of seats at tables? 36 indoor/ 10 outdoor

(k) Is the interior view unobstructed throughout? Yes

(l) If not, state reason:

(m) Are premises sufficiently illuminated? NO \_\_\_\_\_ YES

(n) If booths, how high?

(o) Any openings to other parts of the building?

(p) If so, describe: NO  YES \_\_\_\_\_

#### **Bars**

4.(a) How many stand-up bars are located on the premises? One

(b) How many service bars?

(c) Describe all bars (length, shape and location): Semi-circular, 14'10" circumference located in rear of restaurant

(d) Any food counters?

(e) If so, describe: NO  YES \_\_\_\_\_

#### **Kitchen**

5.(a) Location and size of kitchen, if any: 375 Square Feet

(b) Is food available for sale? NO \_\_\_\_\_ YES

(c) If so, describe type of food? Italian

(d) Is a chef employed?

(e) What other kitchen help is employed? Pastry cook, pizza person, grill person, pasta cook, sandwich preparer and dishwasher

**Permits**

6.(a) Has premises been issued a Board of Health Permit?  
(If yes, please submit a copy!) Pending  
NO \_\_\_\_\_ YES \_\_\_\_\_

(b) Does Premises have a valid Certificate of Occupancy? NO \_\_\_\_\_ YES \_\_\_\_\_ X

**Submit copy of permit OR letter from Municipality stating that no Certificate of Occupancy is required!**

(c) Any pool tables? NO \_\_\_\_\_ X YES \_\_\_\_\_  
(d) If so, provide number of tables and playing surface dimensions? \_\_\_\_\_  
(e) Names of pool table vendor(s)? \_\_\_\_\_

**Hotel**

7.(a) Type of Hotel:

Transient \_\_\_\_\_  
Apartment \_\_\_\_\_  
Summer \_\_\_\_\_

(b) Is building used solely as a Hotel? NO \_\_\_\_\_ YES \_\_\_\_\_  
(c) Will you conduct catering? NO \_\_\_\_\_ YES \_\_\_\_\_  
(d) How many floors? \_\_\_\_\_  
  
(e) How many rooms? \_\_\_\_\_  
  
(f) How many mini bars? \_\_\_\_\_  
(g) Describe dining room facilities: \_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

## PROPOSED METHOD OF OPERATION

All applicants for a license to sell alcoholic beverage for consumption on-premises must complete section G.

1.) What type of establishment will this be? \_\_\_\_\_  
 (ie: restaurant, tavern, disco, etc.) \_\_\_\_\_

2.) Will premises have live music? NO   X   YES \_\_\_\_\_

3.) Will premises permit dancing? NO   X   YES \_\_\_\_\_

4.) Will premises have other kinds of entertainment? NO   X   YES \_\_\_\_\_  
 If YES, describe:  
 \_\_\_\_\_

**Provide copies of all applicable permits (ie: live music, entertainment, dancing) from local municipality.**

5.) What are the proposed hours of operation? OPEN: 6:30 A.M. CLOSE: 7:00 P.M.

6.) Will the business employ a Manager? NO   X   YES \_\_\_\_\_

7.) Name(s) of Manager(s)  
**Manager(s) MUST complete Personal Questionnaire**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

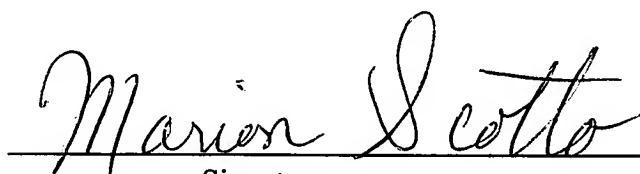
8.) How many employees? (Describe positions)  
One chef, one pastry cook, one pasta cook, one grill person, one pizza person, one sandwich preparer, one dishwasher, one coffee person, one bartender, three servers, one assistant manager, one busperson

9.) Will there be security personnel?  
 If YES, how many?  
 \_\_\_\_\_

**AFFIDAVIT**

Any answer or statement, which is false, made by the applicant constitutes perjury and will subject any permit or license issued hereunder to revocation or cancellation.

I, MARION SCOTTO, Member of \_\_\_\_\_, the applicant, (sole proprietor, partner, or corporate principal) for a(n) on premises \_\_\_\_\_ permit or license understand that the New York State Liquor Authority will **rely** on each and every answer in the application and accompanying papers in reaching their determination and swear, under penalty of perjury, that all statements therein are **true** to the best of my knowledge and belief. **I FURTHER STATE** that no person has or will have any interest in the applicant's license if said person has previously been issued a license by the State Liquor Authority and such license has been **revoked** for cause within two (2) years of this application.

  
Signature

COUNTY OF            NEW YORK                         )  
    )  
    ) SS.:  
STATE OF            NEW YORK                                )

On the 20th day of August 19 98 before  
me personally came MARION SCOTTO known to me to be the individual who executed  
the foregoing instrument.

  
\_\_\_\_\_  
NOTARY PUBLIC

ROBERT V. FERRARI  
Notary Public, State of New York  
No. 31-1200140  
Qualified in New York County  
Commission Expires May 31, 1999

CERTIFICATION

1. I am the President of Starjem Restaurant Inc. which owns and operates Fresco, a restaurant at 34 East 52nd Street, New York, New York.

2. Fresco provides separate bathrooms for both sexes.

3. I am also a ~~xxxxxx~~member of Starjem LLC which planning to open a new restaurant at 40 East 52nd Street, New York, New York (the "New Restaurant"). The entrance to the New Restaurant is located less than . fifty feet from the entrance to Fresco. See diagram attached hereto.

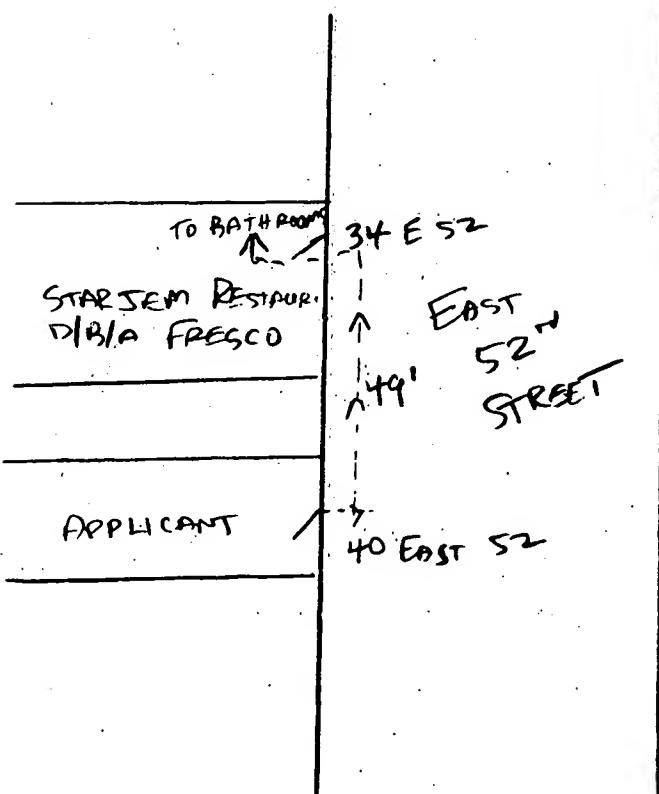
4. Both patrons and employees of the New Restaurant will be permitted to utilize Fresco's separate bathrooms.

6. This Certification is given knowing that the State Liquor Authority will rely on the truth of the assertions made therein.

Dated: August 20, 1998

  
Marion Scotto  
MARION SCOTTO

## DIAGRAM TO BATHROOMS



## PERSONAL QUESTIONNAIRE

- All principals to the license application must complete this questionnaire in full.
- Answer all questions below and check the appropriate spaces.

- Make duplicate blank forms as necessary.
- Attach add'l sheets if more space is needed.

**NAME OF APPLICATION:** STARJEM LLC1.) **YOUR NAME** MARION SCOTTO

Address \_\_\_\_\_

Social Security No. \_\_\_\_\_

Date of Birth \_\_\_\_\_

Telephone No. \_\_\_\_\_

2.) List any other name or names you have been known by  
(including maiden name) and the reason for changing  
your name: \_\_\_\_\_

MARIAN ANASTASIO (maiden name)

3.) Height 5'4" Weight 135 Marital Status Married  
Sex Female Hair Color Blonde Spouse Name ANTHONY SCOTTO  
& S.S. # \_\_\_\_\_

4.) Country of Birth: USA U.S. Citizen? NO YES X

If Alien, state Registration No. or Visa Type: \_\_\_\_\_

5.) Residences for past TEN years including your present address: (If more space required, attach add'l sheets!)  
Address \_\_\_\_\_

FROM (mo./yr.) TO (mo./yr.)

6.) Your occupation record for the past TEN years: (If more space required, attach add'l sheets!)

FROM/TO (mo./yr.)	Employer	Address	Type of Business	Occupation
7/93 to date	Starjem	34 East 52nd Street	Restaurant	Manager
	Restaurant Inc.	New York, New York		
1/87 to 12/92	VIP Celebration	8220 11th Avenue Brooklyn, New York	Party Planners	Party Planner

7.) Position (or interest) you will hold in the license application (check each):

President	____	Director	____	Manager	____	Landlord	____
V. President	____	Stockholder	____	Lender	____	Broker	____
Secretary	____	Partner	____	Donor	____	Vendor	____
Treasurer	____	General Partner	____	Guarantor	____	Contractor	____
Chairman	____	Limited Partner	____	LLC Manager	____	Franchisor	____
Officer	____	Sole Proprietor	____	LLC Member	X	Management Agent	____

OTHER: \_\_\_\_\_

8(a)	If you are an Applicant (ie: proprietor, partner, stockholder, officer or director) or Applicant's spouse, will you continue your present occupation or business?	NO _____ YES <input checked="" type="checkbox"/> X			
(b)	If YES, list hours you will devote to business sought to be licensed	One-third of time			
9(a)	Will you take an active part in the operation of the business to be licensed?	NO _____ YES <input checked="" type="checkbox"/> X			
(b)	If YES, explain nature of activity:  (hours, pay)	Management of LLC, fifteen hours per week			
10(a)	Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?	NO _____ YES <input checked="" type="checkbox"/> X			
(b)	If YES, provide information below:				
Business Name      Type of Business		Your Interest(Date Began)	Business Address	Liquor License	Federal ID No.
Starjem	Restaurant	Officer, Director	34 East 52nd St.	NEW OP	6650
Restaurant Inc..		& Shareholder	New York, N.Y.		
11/93					

11(a)	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?	NO <input checked="" type="checkbox"/> X YES _____			
(b)	If YES, provide information below:				
Name of applicant	Address of premises	State	Date of filing	License No.	Disposition
_____ _____ _____					

12(a)	Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?	NO <input checked="" type="checkbox"/> X YES _____
(b)	If YES, state action and date of action:	_____ _____
13(a)	Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	NO <input checked="" type="checkbox"/> X YES _____
(b)	If YES, provide details:	_____ _____ _____

14(a) Have you ever been CONVICTED (including pleas of guilty or suspended sentences) of any felony, misdemeanor (*including driving while intoxicated or impaired*) or any other type of offense EXCEPT MINOR TRAFFIC INFRACTIONS? NO  YES \_\_\_\_\_

(b) If YES, attach a Certificate of Disposition by the court clerk for each case and a Certificate of Relief from disabilities if available and submit an affidavit explaining all details. If you have reported all convictions to this authority and were subsequently approved for a license, check here: Approved \_\_\_\_\_

15(a) Are there any ARRESTS, INDICTMENTS or SUMMONSES other than minor traffic infractions PENDING against you (*including driving while intoxicated or impaired*)? NO  YES \_\_\_\_\_

(b) IF YES, PROVIDE COPY OF ACCUSATORY INSTRUMENT! NO  YES \_\_\_\_\_

16.) If you are an applicant (ie: proprietor, partner, stockholder, officer or director), would any of the above questions require a YES answer if asked of your spouse? NO  YES \_\_\_\_\_

17.) If you answered YES to the above question or if your spouse will aid in the management of the applicant business, check here and your spouse must complete a personal questionnaire. (Spouse will complete questionnaire) NO  YES \_\_\_\_\_

18.) Do you or did you have a family, business or social relationship with the landlord, tenant or last licensee of the premises to be licensed? If YES, explain: NO  YES \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

19.) How did you become aware of the availability of the subject premises? Premises are next door to our existing business  
\_\_\_\_\_

## FINANCES

**IMPORTANT** - Submit any and all records, documents and affidavits that you feel may assist you in explaining the source of monies you will provide the applicant as per instruction sheet.

**EXAMPLES OF DOCUMENTS TO SUBMIT:** A. Loan or gift letter. B. Copy of bank or stock account from which funds will be loaned or gifted. From these accounts, copy of name page and all pages going back one year. Circle or highlight unusual deposits and explain. If funds were transferred from another account or previous bank book(s), copy of the name page and all pages going back one year for that book.

20.) **FINANCES**

State TOTAL AMOUNT OF MONEY you are providing the applicant

\$ 200,000

Type of Investment (Investment/Loan/Contract-debt)	Dollar (\$ Amount	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
Investment	\$200,000	Chase Vista Funds Account No. [REDACTED]

If you are guaranteeing a loan as a co-signer or putting up something of value as collateral.

Identify Co-Signer or Collateral

Identify Loan/Describe Collateral

I understand that the information I submit will be relied upon by the State Liquor Authority and a false statement or misrepresentation will constitute cause for the disapproval of the application or revocation of any license for which this application is submitted.

I verify that statements made herein are true and if any change occurs prior to the receipt of the license, I will notify the Authority by registered or certified mail within 48 hours or if change occurs after receipt of the license, I will notify the Authority similarly within 10 days. I understand that failure to give the required notice will violate the Alcoholic Beverage Control Law and may result in revocation of the license.

Marion Scotto  
Signature

August 20, 1998  
Date

## PERSONAL QUESTIONNAIRE

- All principals to the license application must complete this questionnaire in full.
- Answer all questions below and check the appropriate spaces.

- Make duplicate blank forms as necessary.
- Attach add'l sheets if more space is needed.

NAME OF APPLICATION: STARJEM LLC

1.) YOUR NAME ANTHONY M. SCOTTO, JR.

Address \_\_\_\_\_

Social Security No. \_\_\_\_\_

Date of Birth \_\_\_\_\_

Telephone No. \_\_\_\_\_

2.) List any other name or names you have been known by \_\_\_\_\_ None  
 (including maiden name) and the reason for changing \_\_\_\_\_  
 your name: \_\_\_\_\_

3.) Height 5'10" Weight 210 Marital Status Married  
 Sex Male Hair Color Brown Spouse Name THERESA PISACANI  
& S.S. # \_\_\_\_\_

4.) Country of Birth: USA U.S. Citizen? NO        YES X

If Alien, state Registration No. or Visa Type: \_\_\_\_\_

5.) Residences for past TEN years including your present address: (If more space required, attach add'l sheets!)  
 Address \_\_\_\_\_ FROM (mo./yr.) TO (mo./yr.) \_\_\_\_\_

6.) Your occupation record for the past TEN years: (If more space required, attach add'l sheets!)  
 FROM/TO (mo./yr.) Employer Address Type of Business Occupation  
8/93 to date, Starjem Restaurant Inc. 34 East 52nd St. Restaurant Co-Manager  
New York, N.Y. \_\_\_\_\_

1988 to 1993, Bar One Los Angeles, California Restaurant General Manager

7.) Position (or interest) you will hold in the license application (check each):

President	Director	Manager	Landlord
V. President	Stockholder	Lender	Broker
Secretary	Partner	Donor	Vendor
Treasurer	General Partner	Guarantor	Contractor
Chairman	Limited Partner	LLC Manager	Franchisor
Officer	Sole Proprietor	LLC Member	Management Agent

OTHER: \_\_\_\_\_

8(a)	If you are an Applicant (ie: proprietor, partner, stockholder, officer or director) or Applicant's spouse, will you continue your present occupation or business?	NO _____ YES <input checked="" type="checkbox"/> X			
(b)	If YES, list hours you will devote to business sought to be licensed	<u>One-third of time</u>			
9(a)	Will you take an active part in the operation of the business to be licensed?	NO _____ YES <input checked="" type="checkbox"/>			
(b)	If YES, explain nature of activity:  (hours, pay)	<u>Management of LLC, fifteen hours per week</u>			
10(a)	Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?	NO _____ YES <input checked="" type="checkbox"/>			
(b)	If YES, provide information below:				
Business Name    Type of Business		Your Interest(Date Began)	Business Address	Liquor License	Federal ID No.
<u>Starjem Restaurant</u>		Officer, Director	34 East 52nd St., NEW OP 6650		
<u>Restaurant Inc.</u>		& Shareholder	New York, N.Y.		
11/93					

11(a)	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?	NO _____ YES <input checked="" type="checkbox"/>			
(b)	If YES, provide information below:				
Name of applicant	Address of premises	State	Date of filing	License No.	Disposition
<u>BOBBY RUBINO'S</u>	<u>Fisherman's Wharf</u>	<u>California</u>	<u>12/83</u>		<u>Approved</u>
<u>San Francisco, California</u>					

12(a)	Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?	NO <input checked="" type="checkbox"/> YES _____
(b)	If YES, state action and date of action:	_____
13(a)	Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	NO <input checked="" type="checkbox"/> YES _____
(b)	If YES, provide details:	_____

14(a) Have you ever been **CONVICTED** (including pleas of guilty or suspended sentences) of any felony, misdemeanor (*including driving while intoxicated or impaired*) or any other type of offense EXCEPT MINOR TRAFFIC INFRACTIONS?

NO  YES \_\_\_\_\_

(b) If YES, attach a Certificate of Disposition by the court clerk for each case and a Certificate of Relief from disabilities if available and submit an affidavit explaining all details. If you have reported all convictions to this authority and were subsequently approved for a license, check here:

Approved \_\_\_\_\_

15(a) Are there any ARRESTS, INDICTMENTS or SUMMONSES other than minor traffic infractions PENDING against you (including driving while intoxicated or impaired)?

NO  YES \_\_\_\_\_

(b) **IF YES, PROVIDE COPY OF ACCUSATORY INSTRUMENT!**

16.) If you are an applicant (ie: proprietor, partner, stockholder, officer or director), would any of the above questions require a YES answer if asked of your spouse?

NO  YES \_\_\_\_\_

17.) If you answered YES to the above question or if your spouse will aid in the management of the applicant business, check here and your spouse must complete a personal questionnaire.

(Spouse will complete questionnaire)

18.) Do you or did you have a family, business or social relationship with the landlord, tenant or last licensee of the premises to be licensed?

NO  YES \_\_\_\_\_

If YES, explain:

\_\_\_\_\_

19.) How did you become aware of the availability of the subject premises?

Premises are next door to  
our existing business

## FINANCES

**IMPORTANT** - Submit any and all records, documents and affidavits that you feel may assist you in explaining the source of monies you will provide the applicant as per instruction sheet.

**EXAMPLES OF DOCUMENTS TO SUBMIT:** A. Loan or gift letter. B. Copy of bank or stock account from which funds will be loaned or gifted. From these accounts, copy of name page and all pages going back one year. Circle or highlight unusual deposits and explain. If funds were transferred from another account or previous bank book(s), copy of the name page and all pages going back one year for that book.

## 20.) FINANCES

State TOTAL AMOUNT OF MONEY you are providing the applicant

\$ 66,666.66

Type of Investment (Investment/Loan/Contract/debt)	Dollar (\$ Amount	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
<u>Distribution from Starjem Restaurant, Inc.</u>	<u>\$66,666.66</u>	<u>see letter of Marion Scotto</u>
		<u>and corporation's bank</u>
		<u>statement annexed thereto</u>

If you are guaranteeing a loan as a co-signer or putting up something of value as collateral.

Identify Co-Signer or Collateral

Identify Loan/Describe Collateral

I understand that the information I submit will be relied upon by the State Liquor Authority and a false statement or misrepresentation will constitute cause for the disapproval of the application or revocation of any license for which this application is submitted.

I verify that statements made herein are true and if any change occurs prior to the receipt of the license, I will notify the Authority by registered or certified mail within 48 hours or if change occurs after receipt of the license, I will notify the Authority similarly within 10 days. I understand that failure to give the required notice will violate the Alcoholic Beverage Control Law and may result in revocation of the license.



Signature

8/20/98  
Date

# PERSONAL QUESTIONNAIRE

- All principals to the license application must complete this questionnaire in full.
- Answer all questions below and check the appropriate spaces.

- Make duplicate blank forms as necessary.
- Attach add'l sheets if more space is needed.

NAME OF APPLICATION: STARJEM LLC

1.) YOUR NAME ROSANNA SCOTTO [REDACTED]

Address [REDACTED]

Social Security No. [REDACTED]

Date of Birth [REDACTED]

Telephone No. [REDACTED]

2.) List any other name or names you have been known by  
(including maiden name) and the reason for changing  
your name:

ROSANNA SCOTTO RUGGIERO (married name)

3.) Height 5'4" Weight 125 Marital Status Married  
Sex Female Hair Color Brown Spouse Name LOUIS RUGGIERO  
& S.S. # [REDACTED]

4.) Country of Birth: USA U.S. Citizen? NO YES X

If Alien, state Registration No. or Visa Type: [REDACTED]

5.) Residences for past TEN years including your present address: (If more space required, attach add'l sheets!)  
Address [REDACTED] FROM (mo./yr.) TO (mo./yr.) [REDACTED]

6.) Your occupation record for the past TEN years: (If more space required, attach add'l sheets!)  
FROM/TO (mo./yr.) Employer Address Type of Business Occupation  
3/86 to present Fox 5 News 205 East 67th Street News Station Anchor  
New York, New York

7.) Position (or interest) you will hold in the license application (check each):

President	Director	Manager	Landlord
V. President	Stockholder	Lender	Broker
Secretary	Partner	Donor	Vendor
Treasurer	General Partner	Guarantor	Contractor
Chairman	Limited Partner	LLC Manager	Franchisor
Officer	Sole Proprietor	LLC Member	Management Agent

OTHER: [REDACTED]

8(a)	If you are an Applicant (ie: proprietor, partner, stockholder, officer or director) or Applicant's spouse, will you continue your present occupation or business?	NO _____ YES <input checked="" type="checkbox"/> X			
(b)	If YES, list hours you will devote to business sought to be licensed	None _____			
9(a)	Will you take an active part in the operation of the business to be licensed?	NO <input checked="" type="checkbox"/> X YES _____			
(b)	If YES, explain nature of activity:  (hours, pay)	_____ _____			
10(a)	Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?	NO _____ YES <input checked="" type="checkbox"/> X			
(b)	If YES, provide information below:				
Business Name Type of Business		Your Interest(Date Begun)	Business Address	Liquor License	Federal ID No.
Starjem Restaurant		Stockholder	34 East 52nd St.	NEW OP	6650
Restaurant Inc.		11/93	New York, N.Y.		
11(a)	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?	NO <input checked="" type="checkbox"/> X YES _____			
(b)	If YES, provide information below:				
Name of applicant	Address of premises	State	Date of filing	License No.	Disposition
_____ _____ _____					
12(a)	Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?	NO <input checked="" type="checkbox"/> X YES _____			
(b)	If YES, state action and date of action:	_____ _____			
13(a)	Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	NO <input checked="" type="checkbox"/> X YES _____			
(b)	If YES, provide details:	_____ _____ _____			

14(a) Have you ever been **CONVICTED** (including pleas of guilty or suspended sentences) of any felony, misdemeanor (*including driving while intoxicated or impaired*) or any other type of offense EXCEPT MINOR TRAFFIC INFRACTIONS? NO X YES \_\_\_\_\_

(b) If YES, attach a Certificate of Disposition by the court clerk for each case and a Certificate of Relief from disabilities if available and submit an affidavit explaining all details. If you have reported all convictions to this authority and were subsequently approved for a license, check here: Approved \_\_\_\_\_

15(a) Are there any **ARRESTS, INDICTMENTS or SUMMONSES** other than minor traffic infractions **PENDING** against you (*including driving while intoxicated or impaired*)? NO X YES \_\_\_\_\_

(b) **IF YES, PROVIDE COPY OF ACCUSATORY INSTRUMENT!**

16.) If you are an applicant (ie: proprietor, partner, stockholder, officer or director), would any of the above questions require a YES answer if asked of your spouse? NO X YES \_\_\_\_\_

17.) If you answered YES to the above question or if your spouse will aid in the management of the applicant business, check here and your spouse must complete a personal questionnaire. (Spouse will complete questionnaire)

18.) Do you or did you have a family, business or social relationship with the landlord, tenant or last licensee of the premises to be licensed? NO X YES \_\_\_\_\_  
If YES, explain: \_\_\_\_\_

19.) How did you become aware of the availability of the subject premises? Premises are next door to our existing business \_\_\_\_\_

## FINANCES

**IMPORTANT** - Submit any and all records, documents and affidavits that you feel may assist you in explaining the source of monies you will provide the applicant as per instruction sheet.

**EXAMPLES OF DOCUMENTS TO SUBMIT:** A. Loan or gift letter. B. Copy of bank or stock account from which funds will be loaned or gifted. From these accounts, copy of name page and all pages going back one year. Circle or highlight unusual deposits and explain. If funds were transferred from another account or previous bank book(s), copy of the name page and all pages going back one year for that book.

## 20.) FINANCES

State TOTAL AMOUNT OF MONEY you are providing the applicant

\$ 66,666.66

Type of Investment (Investment/Loan/Contract-debt)	Dollar (\$ Amount	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
Distribution from Starjem Restaurant, Inc.	\$66,666.66	see letter of Marion Scotto and corporation's bank statement annexed thereto

If you are guaranteeing a loan as a co-signer or putting up something of value as collateral.

Identify Co-Signer or Collateral

Identify Loan/Describe Collateral

I understand that the information I submit will be relied upon by the State Liquor Authority and a false statement or misrepresentation will constitute cause for the disapproval of the application or revocation of any license for which this application is submitted.

I verify that statements made herein are true and if any change occurs prior to the receipt of the license, I will notify the Authority by registered or certified mail within 48 hours or if change occurs after receipt of the license, I will notify the Authority similarly within 10 days. I understand that failure to give the required notice will violate the Alcoholic Beverage Control Law and may result in revocation of the license.

Rosanna Scotto  
Signature

8/20/98  
Date

## PERSONAL QUESTIONNAIRE

- All principals to the license application must complete this questionnaire in full.
- Answer all questions below and check the appropriate spaces.

- Make duplicate blank forms as necessary.
- Attach add'l sheets if more space is needed.

**NAME OF APPLICATION:** STARJEM LLC1.) **YOUR NAME** ELAINA SCOTTO-FAUCETTA

Address \_\_\_\_\_

Social Security No. \_\_\_\_\_

Date of Birth \_\_\_\_\_

Telephone No. \_\_\_\_\_

2.) List any other name or names you have been known by  
 (including maiden name) and the reason for changing  
 your name:

ELAINA SCOTTO (maiden name)

3.) Height 5'5" Weight 120 Marital Status Married  
 Sex Female Hair Color Brown Spouse Name DANIEL FAUCETTA  
& S.S. # \_\_\_\_\_

4.) Country of Birth: USA U.S. Citizen? NO        YES X

If Alien, state Registration No. or Visa Type: \_\_\_\_\_

5.) Residences for past TEN years including your present address: (If more space required, attach add'l sheets!)

FROM (mo./yr.) TO (mo./yr.)

6.) Your occupation record for the past TEN years: (If more space required, attach add'l sheets!)

FROM/TO (mo./yr.)	Employer	Address	Type of Business	Occupation
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See annexed Rider

7.) Position (or interest) you will hold in the license application (check each):

President	Director	Manager	Landlord
V. President	Stockholder	Lender	Broker
Secretary	Partner	Donor	Vendor
Treasurer	General Partner	Guarantor	Contractor
Chairman	Limited Partner	LLC Manager	Franchisor
Officer	Sole Proprietor	LLC Member	Management Agent

OTHER: \_\_\_\_\_

8(a)	If you are an Applicant (ie: proprietor, partner, stockholder, officer or director) or Applicant's spouse, will you continue your present occupation or business?	NO _____ YES <input checked="" type="checkbox"/> X			
(b)	If YES, list hours you will devote to business sought to be licensed	One-third of time			
9(a)	Will you take an active part in the operation of the business to be licensed?	NO _____ YES <input checked="" type="checkbox"/> X			
(b)	If YES, explain nature of activity:  (hours, pay)	Management of LLC, fifteen hours per week			
10(a)	Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?	NO _____ YES <input checked="" type="checkbox"/> X			
(b)	If YES, provide information below:				
Business Name      Type of Business		Your Interest(Date Begun)	Business Address	Liquor License	Federal ID No.
<u>Starjem</u> Restaurant		<u>Officer, Director</u>	<u>34 East 52nd St.</u>	<u>NEW OP 6650</u>	
<u>Restaurant Inc.</u>		<u>&amp; Shareholder</u>	<u>New York, N.Y.</u>		
<u>11/93</u>					

11(a)	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?	NO <input checked="" type="checkbox"/> X YES _____			
(b)	If YES, provide information below:				
Name of applicant	Address of premises	State	Date of filing	License No.	Disposition
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

12(a)	Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?	NO <input checked="" type="checkbox"/> X YES _____
(b)	If YES, state action and date of action:	_____
13(a)	Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	NO <input checked="" type="checkbox"/> X YES _____
(b)	If YES, provide details:	_____
_____	_____	_____
_____	_____	_____

14(a) Have you ever been CONVICTED (including pleas of guilty or suspended sentences) of any felony, misdemeanor (*including driving while intoxicated or impaired*) or any other type of offense EXCEPT MINOR TRAFFIC INFRACTIONS? NO  YES \_\_\_\_\_

(b) If YES, attach a Certificate of Disposition by the court clerk for each case and a Certificate of Relief from disabilities if available and submit an affidavit explaining all details. If you have reported all convictions to this authority and were subsequently approved for a license, check here: Approved \_\_\_\_\_

15(a) Are there any ARRESTS, INDICTMENTS or SUMMONSES other than minor traffic infractions PENDING against you (including driving while intoxicated or impaired)? NO  YES \_\_\_\_\_

(b) IF YES, PROVIDE COPY OF ACCUSATORY INSTRUMENT! \_\_\_\_\_

16.) If you are an applicant (ie: proprietor, partner, stockholder, officer or director), would any of the above questions require a YES answer if asked of your spouse? NO  YES \_\_\_\_\_

17.) If you answered YES to the above question or if your spouse will aid in the management of the applicant business, check here and your spouse must complete a personal questionnaire. (Spouse will complete questionnaire) \_\_\_\_\_

18.) Do you or did you have a family, business or social relationship with the landlord, tenant or last licensee of the premises to be licensed? NO  YES \_\_\_\_\_  
If YES, explain: \_\_\_\_\_

19.) How did you become aware of the availability of the subject premises? Premises are next door to our existing business \_\_\_\_\_

## FINANCES

**IMPORTANT** - Submit any and all records, documents and affidavits that you feel may assist you in explaining the source of monies you will provide the applicant as per instruction sheet.

**EXAMPLES OF DOCUMENTS TO SUBMIT:** A. Loan or gift letter. B. Copy of bank or stock account from which funds will be loaned or gifted. From these accounts, copy of name page and all pages going back one year. Circle or highlight unusual deposits and explain. If funds were transferred from another account or previous bank book(s), copy of the name page and all pages going back one year for that book.

## 20.) FINANCES

State TOTAL AMOUNT OF MONEY you are providing the applicant

\$ 66,666.66

Type of Investment (Investment/Loan/Contract/debt)	Dollar (\$ Amount	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
<u>Distribution from Starjem Restaurant, Inc.</u>	<u>\$66,666.66</u>	<u>see letter of Marion Scotto</u>
		<u>and corporation's bank</u>
		<u>statement annexed thereto</u>

If you are guaranteeing a loan as a co-signer or putting up something of value as collateral.

Identify Co-Signer or Collateral

Identify Loan/Describe Collateral

I understand that the information I submit will be relied upon by the State Liquor Authority and a false statement or misrepresentation will constitute cause for the disapproval of the application or revocation of any license for which this application is submitted.

I verify that statements made herein are true and if any change occurs prior to the receipt of the license, I will notify the Authority by registered or certified mail within 48 hours or if change occurs after receipt of the license, I will notify the Authority similarly within 10 days. I understand that failure to give the required notice will violate the Alcoholic Beverage Control Law and may result in revocation of the license.

Glenn Scott - Faucault

Signature

Aug 20 1998

Date

RIDER TO PERSONAL QUESTIONNAIRE  
ELAINA-SCOTTO FAUCETTA

Question 6:

7/93 to date, Starjem Restaurant Inc., 34 East 52nd Street, New York, New York, Restaurant, Manager.

7/92 to 8/92, AMSCO Resources, 155 East 55th Street, New York, New York, Public Relations.

8/91 to 7/92, Robert Comstock, 1776 Broadway, New York, New York, Public Relations.

1/91 to 8/91, Bider Mann Ind., 575 Fifth Avenue, New York, New York, Public Relations.

1988 to 1/91, Mary Ann Restivo, 498 Seventh Avenue, New York, New York, Clothing, Sales Assistant.

STARJEM RESTAURANT INC.  
34 East 52nd Street  
New York, New York 10022

August 20, 1998

State Liquor Authority  
11 Park Place  
New York, New York 10007

Re: Starjem LLC  
40 East 52nd Street

Dear Sir/Madam:

I am the President of Starjem Restaurant Inc., (the "Corporation"). The Corporation is making the following distribution to the shareholders named below:

Rosanna Scotto	\$66,666.66
Elaina Scotto-Faucetta	66,666.66
Anthony M. Scotto, Jr.	66,666.66

The funds comprising this distribution are contained in the Corporation's business checking account at The Chase Manhattan Bank (Account No: [REDACTED]).

The above distribution is to be invested in Starjem LLC.

Very truly yours,

Starjem Restaurant Inc.

By Marien Scotto  
MARION SCOTTO

STATEMENT REGARDING INTERIOR OF PREMISES

Applicant's premises at 40 East 52nd Street, New York, New York was utilized by its prior owner as a retail store and Applicant has not yet transformed this space, as planned, into a restaurant. Hense, Applicant has not submitted interior photographs with this application but will do so upon receipt of the conditional approval of its application.

**COPY**

PAGE 1 OF 2 PAGES

TO EAST C

U Form 34 (Rev. 6/65)



THE CITY OF NEW YORK

# DEPARTMENT OF BUILDINGS

## CERTIFICATE OF OCCUPANCY

BOROUGH OF MANHATTAN

DATE: JAN 06 1987 NO. 89722

ZONING DISTRICT C5-2.5

This certificate supersedes C.O. No.

THIS CERTIFIES that the new ~~RELOCATED~~ building premises located at  
 38-46 East 2nd Street; 38-47 East 51st Street Block 1287 Lot 27, 28, 30, 31,  
 CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE  
 LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN  
 44, 1+

## PERMISSIBLE USE AND OCCUPANCY

FLOOR	LIVE LOAD LBS PER SF	MAXIMUM NO. OF PERSONS PERMITTED	ZONING CLASSIFICATION AND OCCUPANCY UNITS	BUILDING CLASS NUMBER	COMBINED USE GROUP	BUILDING CODE PERMISSION GROUP	DESCRIPTION OF USE
Cellar	0/G	70		6	E-2 D-2 E	Steam Meter Rm., Elec. Switch Gear Rm., Telephone Equipment Rm., Storage, Offices, Pump & Locker Rm. & Toilets, Mechanic Equip. Rm., Network Compartmer Fuel Oil Tank Room	
1st Fl.	100/175	100		6	S C D-2	Lobby, Loading Berth, Offices Retail Space, Janitor Closet Mail Rm., Bldg. Manager Office Elec. and Telephone Closets, Urban Plaza	
Mezzanine Level	100/200	1		6	D-2	Mach. Equipment Rm., Engr. Office and Toilet	
2nd to 6th Floors	50/100	150		6	E D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room	
7th to 11th Floors	50/100	140		6	E D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room	
12th to 14th Floors	50/100	130		6	E D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room	
15th to 16th Floors	50/100	130		6	E D-2	Offices, Toilets, Janitor's Closets, Elec. and Telephone Closets, Elevator Machine Rm. A.C. Fan Room	
17th Fl.	50/100	120		6	E	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, Elevator Machine Rm. A.C. Fan Room	
18th to 22nd Floors	50/100	120		6	E	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room	

(CONTINUED)

OPEN SPACE USES, Loading Capacity: 756 Square Feet; Urban Plaza 4,142 Sq. Ft.  
 SPECIFY - PARKING SPACES, LOADING BERTHS, OTHER USES, NONE.

IF NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
 A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED  
 THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND  
 SPECIFICATIONS NOTED ON THE REVERSE SIDE.

BOROUGH SUPERINTENDENT

COMMISSIONER

 ORIGINAL  OFFICE COPY - DEPARTMENT OF BUILDINGS  COPY

B Form 24-Sub-A Rev. 4-82

THAT THE ZONING LOT ON WHICH THE PREMISES IS LOCATED IS BOUNDED AS FOLLOWS.

BEGINNING at a point on the NORTH 133'-0" side of 31st Street  
thence FEET from the corner formed by the intersection of  
northw thence ... 99'-11"-0" and East 31st Street  
thence ... EAST 55'-6" feet; thence ... NORTH 100'-5" feet;  
thence ... east 130'-0" feet; thence ... NORTH 100'-5" feet;  
thence ... east; thence ... South 200'-10" feet;  
thence ... to the point or place of beginning feet,

M.B. #400X. No. 13/82 DATE OF COMPLETION 12-12-86 CONSTRUCTION CLASSIFICATION Class 1 - Fireproof  
 BUILDING OCCUPANCY GROUP CLASSIFICATION I HEIGHT 23 STORIES 275'-0" FEET

THE FOLLOWING FIRE DETECTION AND EXTINGUISHING SYSTEMS ARE REQUIRED AND WERE INSTALLED IN COMPLIANCE WITH APPLICABLE LAWS.

	YES	NO		YES	NO
STANDPIPE SYSTEM	X		AUTOMATIC SPRINKLER SYSTEM	X	
YARD DRAVING SYSTEM					
STANDPIPE FIRE TELEPHONE AND SIGNALLING SYSTEM					
SMOKE DETECTOR					
FIRE ALARM AND SIGNAL SYSTEM					

## STORM DRAINAGE DISCHARGES INTO:

A) STORM SEWER  B) COMBINED SEWER  C) PRIVATE SEWAGE DISPOSAL SYSTEM

## SANITARY DRAINAGE DISCHARGES INTO:

A) SANITARY SEWER  B) COMBINED SEWER  C) PRIVATE SEWAGE DISPOSAL SYSTEM

## LIMITATIONS OR RESTRICTIONS:

BOARD OF STANDARDS AND APPEALS CAL. NO.  
 CITY PLANNING COMMISSION CAL. NO. BL-09357/001  
 OTHERS.

PAGE 2 OF 2 PAGES

B Form 54 (Rev. 1/85)

## THE CITY OF NEW YORK


**DEPARTMENT OF BUILDINGS** I.D. #13/82  
**CERTIFICATE OF OCCUPANCY**

BOROUGH

DATE:

NO.

JAN 06 1987

89' x 2

ZONING DISTRICT C3-2.5

THIS CERTIFICATE supersedes CO NO

THIS CERTIFIES that the new ~~RENTED~~-~~LEASING~~-building premises located at  
 38-40 East 52nd Street; 39-47 East 51st Street Block 1207 Lot 27, 28, 30, 31,  
 CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE  
 LAWS, RULES AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN 44,143

**PERMISSIBLE USE AND OCCUPANCY**

STORY	LIVE LOAD LBS PER SF FT.	MAXIMUM NUMBER OF ROOMS PER STORY	ALLOWED NUMBER OF ROOMS PER STORY	BUILDING CODE PERMITTED USE(S)	ZONING USE CLASS	BUILDING CODE PERMITTED OCCUPANCY USE(S)	DESCRIPTION OF USE
23rd fl. Rooftop	50/100	60		6	E	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, Mech. Equip. Rm., A.C Fan Room, Cooling Tower	
Subbasement							Water Tank, Elev. Mach. Room

**OPEN SPACE USES**

(SPECIFY-PARKING SPACES, LOADING BAYNS, OTHER USES, NONE)

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
 A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED  
 THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND  
 SPECIFICATIONS NOTED ON THE REVERSE SIDE.

*Seal - P.A. - 21* *Seal - P.A. - 21*

B Form 54 (Rev. 1/82) (Rev. 3-82)

THAT THE ZONING LOT ON WHICH THE PREMISES IS LOCATED IS BOUNDED AS FOLLOWS:  
 BEGINNING at a point on the

distant

running thence ..... side of  
 thence ..... feet from the corner formed by the intersection of  
 and  
 feet; thence ..... feet;  
 thence ..... feet; thence ..... feet;  
 thence ..... feet; thence ..... feet;  
 to the point or place of beginning. feet; thence ..... feet;

N.B. or ALT. No.

DATE OF COMPLETION

BUILDING OCCUPANCY GROUP CLASSIFICATION

CONSTRUCTION CLASSIFICATION  
HEIGHT STORIES,

FEET

THE FOLLOWING FIRE DETECTION AND EXTINGUISHING SYSTEMS ARE REQUIRED AND WERE INSTALLED IN COMPLIANCE WITH APPLICABLE LAWS.

	YES	NO		YES	NO
STANDPIPE SYSTEM			AUTOMATIC SPRINKLER SYSTEM		
YARD HYDRANT SYSTEM					
STANDPIPE FIRE TELEPHONE AND SIGNALLING SYSTEM					
SMOKE DETECTOR					
FIRE ALARM AND SIGNAL SYSTEM					

## STORM DRAINAGE DISCHARGES INTO:

A) STORM SEWER B) COMBINED SEWER C) PRIVATE SEWAGE DISPOSAL SYSTEM 

## SANITARY DRAINAGE DISCHARGES INTO:

A) SANITARY SEWER B) COMBINED SEWER

Jun-17-98 12:06pm

From-STILLMAN & FRIEDMAN, P.C.

+2122232447

T-493 P.07/07 F-685

MUNICIPAL SEWAGE DISPOSAL SYSTEM

LIMITATIONS OR RESTRICTIONS:

BOARD OF STANDARDS AND APPEALS CAL. NO. \_\_\_\_\_

CITY PLANNING COMMISSION CAL. NO. \_\_\_\_\_

OTHERS: \_\_\_\_\_

CERTIFICATION FORM FOR NEW APPLICATIONS

Serial No NY OP 8460

This is to certify that I have complied with the following conditions:

1. That premises are constructed and equipped in accordance with the plans and specifications as approved by the NY State Liquor Authority.
2. That the premises will be provisioned, staffed and conducted in accordance with the plan of management and /or method of operation submitted with the application to the Liquor Authority.
3. That the financing of the business, including the construction of the proposed premises, is in accordance with information supplied in support of the application to the Liquor Authority.
4. That the premises have been completed and are ready to be open and operated by the applicant.

Date March 19, 1999 Signature 

**RECEIVED**

MAR 22 1999

COMBINED LICENSE

N.Y. STATE LIQUOR AUTHORITY

ZONE 1

Note that you may apply for a new three year license which will authorize you to sell both beer and wine products. If you choose to do so, please submit a certified check, bank check, money order or personal check in the amount of \$245.00. If you have already paid for a separate Beer License and a Wine Product Permit, the fees for the new combined license have been adjusted in order to reflect only the additional amount due, if any.

# LIQUOR AUTHORITY

## IMPORTANT NOTICE TO NEW LICENSEES

### REQUIREMENTS BEFORE A LICENSE MAY BE ISSUED

#### SALES TAX

The New York State Sales Tax Law requires that a person engaging in the sale of products subject to sales tax obtain from the Department of Taxation and Finance a "CERTIFICATE OF AUTHORITY TO COLLECT SALES TAXES". The Law requires that this Certificate be obtained.

Applicants will be required to present a copy of their "CERTIFICATE OF AUTHORITY TO COLLECT TAXES" to the State Liquor Authority before their license may be issued. Applicants may avoid delay in the issuance of their licenses by presenting a copy of their "CERTIFICATE OF AUTHORITY TO COLLECT SALES TAXES" with their initial application for a license.

Enter your Certificate # 134011895

AGENCY USE

Verified by \_\_\_\_\_

Date \_\_\_\_\_

## RECEIVED

MAR 22 1999

#### WORKERS COMPENSATION INSURANCE

N.Y. STATE LIQUOR AUTHORITY

Under the Workers' Compensation Law, your license cannot be issued if you are an employer of one or more employees, or a corporation, unless you have secured Workers' Compensation and Disability Benefits insurance policies.

Serial No NY OP 8460 Name STARJEM LLC d/b/a FRESCO ON THE GO

Premises address 40 East 52nd Street, New York, New York Zip code 10022

1. Are you an employer with one or more employees or a corporation? Please answer Yes or No  
 Yes

2. If yes, state the following:

WC Policy No [REDACTED] Company First Cardinal Corporation

Eff. Date 3/1/99, and DB Policy No [REDACTED]

Company U.S. Underwriter's Insurance Co. Eff. Date 1/20/99

Signature [Handwritten Signature] Date March 19, 1999

(If answer to question 1 is yes, question 2 must be completely filled out. This form must be submitted to License Processing Unit at the appropriate zone office prior to issuance of new license.)

New York State Department of Taxation and Finance - Sales Tax

Identification Number

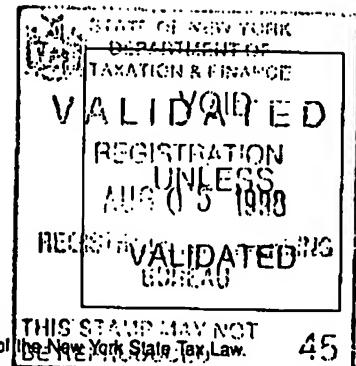
--

(Use this number on all returns and correspondence)

## Certificate of Authority



STARJEN LLC  
10 E 52ND ST  
NEW YORK , NY 10022



Is authorized to collect sales and use taxes under Articles 28 and 29 of  
Not Transferable

This certificate must be prominently displayed in your place of business listed above.  
Fraudulent or other improper use of this certificate may cause it to be revoked.  
This certificate may not be photocopied or reproduced.

DTF-17 C (3/97)

EXHIBIT 3

Page 1 of 2 pages

R Form 14 (Rev. 6/89)

THE CITY OF NEW YORK



# DEPARTMENT OF BUILDINGS #13/81

## CERTIFICATE OF OCCUPANCY

BOROUGH MANHATTAN

DATE: JAN 06 1987 NO. 59727

ZONING DISTRICT C-2-3

This certificate supersedes C.O. No.

THIS CERTIFIES that the new ~~and constructed~~-building-premises located at  
 36-46 East 72nd Street; 37-47 East 51st Street Block 1267 Lot 27, 28, 30, 31,  
 CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE  
 LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN <sup>44, 1+3</sup>

## PERMISSIBLE USE AND OCCUPANCY

FLOOR	LIVE LOAD PSF	MAXIMUM NO. OF PERSONS PERMITTED	PERMITTING OR CONTROLLING USE GROUP	STRUCTURAL CODE RELEVANT ROOFERS	COMBINED USE GROUP	SUMMARY CROSS OCCUPANCY CODE	DESCRIPTION OF USE
Cellar	0/0	70			6	E-2 D-2 E	Steam Meter Rm., Elec. Switch Gear Rm., Telephone Equipment Rm., Storage, Offices, Pump R. Locker Rm. & Toilets, Mechanic Equip. Rm., Network Computer Fuel Oil Tank Room
1st Fl.	100/175	100			6	E C D-2	Lobby, Loading Port, Offices Retail Space, Janitor Closet Mail Rm., Bldg. Manager Office Elec. and Telephone Closets, Urban Plaza
Mezzanine Level	100/200	1				D-2	Mech. Equipment Rm., Engr. Office and Toilet
2nd to 4th Floors	50/100	150			6	E D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room
7th to 11th Floors	50/100	140			6	E D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room
12th to 14th Floors	50/100	130			6	E D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room
15th to 16th Floors	50/100	130			6	E D-2	Offices, Toilets, Janitor's Closets, Elec. and Telephone Closets, Elevator Machine Rm. A.C. Fan Room
17th Fl.	50/100	120			6	E	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, Elevator Machine Rm. A.C. Fan Room
18th to 22nd Floors	50/100	120			6	E	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room

(CONTINUED)

D-2

OPEN SPACE USES Loading Port: 756 Square Feet: Urban Plaza 4,142 Sq. Ft.  
 (SPECIFY-PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

AMENDMENT NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
 A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED  
 THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND  
 SPECIFICATIONS NOTED ON THE REVERSE SIDE.

BOROUGH SUPERINTENDENT

COMMISSIONER

 ORIGINAL OFFICE COPY-DEPARTMENT OF BUILDINGS COPY

~~Page 2 of 2 pages~~

B Form 44 Rev 6/85

## THE CITY OF NEW YORK



# DEPARTMENT OF BUILDINGS

## CERTIFICATE OF OCCUPANCY

BOROUGH BK

DATE: NO.

89-62

JAN 06 1987 ZONING DISTRICT C-2-3

This certificate supersedes CO No.

THIS CERTIFIES that the new ~~and/or alterations~~ building - premises located at  
 36-45 East 52nd Street; 37-47 East 51st Street Block 1287 Lot 27, 28, 3C, 32,  
 CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE  
 LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN 44, 143

## PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOAD LBS PER SF FT	NO OF FLOOR(S) PERMITTED	ZONING BUILDING OR EXISTING USES	BUILDING CODE ADMISSIBLE USES	ZONING USE GROUP	BUILDING CODE OCCUPANCY GROUP	DESCRIPTION OF USE
23rd fl. Roof	50/100	60			C	E	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, Mech. Equip. Rm., A.C Fan Room, Cooling Tower
Sailhead							Water Tank; Elev. Mach. Room

## OPEN SPACE USES

(SPECIFY - PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
 A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED  
 THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND  
 SPECIFICATIONS NOTED ON THE REVERSE SIDE.

 ORIGINAL

 OFFICE COPY - DEPARTMENT OF BUILDINGS

COMMISSIONER

 COPY



STATE LIQUOR AUTHORITY

84 Holland Avenue  
Albany, New York 12208

11 Park Place  
New York, New York 10007

125 Main Street  
Buffalo, New York 14203

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

IN REPLYING REFER TO

DEC 2 - 1998  
NOVEMBER 25, 1998

MARION SCOTTO  
350 EAST 72<sup>ND</sup> STREET  
NEW YORK, NY 10021

Re: NEW YORK OP 8460  
STARJEM LLC  
DBA: FRESCO ON THE GO  
40 EAST 52<sup>ND</sup> STREET  
NEW YORK, NY 10022

APPROVAL EXPIRATION  
DATE: 5/18/99

Dear Sir:

The Members of the Authority at their regular meeting held on 11/18/98 approved your application for an ON PREMISES LIQUOR LICENSE waiving requirement of two (2) separate sanitary facilities and subject to submission by you of an affidavit to our LICENSE PROCESSING UNIT, 11 Park Place, New York, NY 10007, 3<sup>rd</sup> floor, indicating compliance with the following conditions:

1. That the premises are constructed and equipped in accordance with the plans and specifications as approved by the Liquor Authority.
2. That the premises will be provisioned, staffed and conducted in accordance with the plan of management and/or method of operation submitted with the application to the Liquor Authority.
3. That the financing of the business, including the construction of the proposed premises is in accordance with information supplied in support of the application to the Liquor Authority.
4. That the premises have been completed and are ready to be opened and operated by the applicant.
5. Subject to submission of two photographs of both the exterior and interior of premises 5"x 7" are to be submitted showing premises open and operating.
6. Subject to submission of SLA FORM 180-12, in duplicate, if you are an employer of one or more employees or a corporation.

- continued -

DEC 2 - 1998  
NOVEMBER 25, 1998

NEW YORK OP 8460  
STARJEM LLC  
DBA: FRESCO ON THE GO

-2-

7. Subject to submission of a valid Certificate of Occupancy reflecting the current use of these premises.

This letter of approval shall be void if you do not comply with the conditions contained in this letter prior to the expiration date set forth above. If you cannot comply within the time allowed, you may send an extension of time. Instructions for making application for an extension of this letter of approval are enclosed herewith.

Very truly yours,

STATE LIQUOR AUTHORITY



BARBARA JOANNI LORD  
SECRETARY TO THE AUTHORITY

BJL:dr

ENCLS.: FORM 2-33 STIPULATION  
FROM LB-38 INSTRUCTIONS  
FORM 180-12

CC: ROBERT V. FERRARI, ESQ.  
300 EAST 42<sup>ND</sup> STREET  
NEW YORK, NY 10017

NEW YORK STATE LIQUOR AUTHORITY  
FULL BOARD AGENDA  
MEETING OF NOVEMBER 18, 1998  
REFERRED FROM: LICENSING BOARD

98-4647

REASON FOR REFERRAL

NEW YORK OP 8460  
STARJEM LLC  
DBA: FRESCO ON THE GO  
40 EAST 52<sup>ND</sup> STREET  
NEW YORK, NY 10022

FOR DIRECTION.

FILED: 8/21/98

(NEW)

The Members of the Authority at their regular meeting held at the Zone I New York Office on November 18, 1998 determined:

Robert V. Ferrari, Esq. and Anthony Scotto, Jr., principal, appeared.

Application approved waiving requirement of 2 separate sanitary facilities.

Acting Chairman Kelly and Comm. Gedda present and voting for the above.

1-2      FILE COPY  
          DO NOT REMOVE

BJL:sb

*Babette Joanne Ford*  
SECRETARY TO THE AUTHORITY

1-1 copies  
has attly  
Exp date 5/18/99  
1,2,3,4,5,6,7  
& Con corpora

98-4647

STATE LIQUOR AUTHORITY

Full Board Meeting

-----x November 18, 1998

In the Matter of the Application of

STARJEM LLC (NYOP 8460)

for an on premises liquor license  
at 40 East 52nd Street, New York,  
New York 10022

-----x

MEMORANDUM IN SUPPORT

Starjem LLC d/b/a Fresco On The Go (the "Applicant") has applied for an on premises liquor license and is in the process of constructing a restaurant at 40 East 52nd Street, New York, New York (sometimes known as the "Premises"). The entrance to 40 East 52nd Street is located less than fifty feet from the entrance to Starjem Restaurant Inc. d/b/a Fresco ("Fresco"), an upscale Italian restaurant located at 34 East 52nd Street, New York, New York (see diagram described below as Exhibit B). The Applicant proposes to have one bathroom and Fresco presently provides two bathrooms. The Scotto family are the Members of Applicant and are also the officers, directors and shareholders of Fresco. The Scotto family has operated Fresco for about five years without blemish on its record and with accolades from the food critics.

Referred To: Rec'd By:

90:1d NOV 16 1986

STATE LIQUOR AUTHORITY  
RECEIVED  
SECY-TAX/W/C OFFICE-NY

Submitted herewith are the following items which were previously furnished to the State Liquor Authority ("SLA") in support of the application:

Exhibit A - certification in support.

Exhibit B - diagram to bathrooms.

Exhibit C - interior diagram of Applicant's proposed premises.

Exhibit D - New York City Department of Buildings' approval of plans of Applicant for restaurant with one bathroom.

This application is being submitted to the full Board of the SLA to consider whether to accept the application with one bathroom at the Premises, instead of two bathrooms as required by Section 48.4(d)(2) of the SLA rules.

Section 48.4(d)(2)

At the outset, it is noted that Section 48.4(d)(2) may be waived by the SLA "provided there is a satisfactory showing that such facilities are in an area adjacent or approximate to the licensed premises and available to the patrons thereof".

It is submitted that given the close proximity of Fresco to the Applicant coupled with the ready availability of Fresco's facilities for the patrons of the Applicant, this exception should be applied here and the requirement of a second bathroom waived (see Exhibit B).

The SLA has previously waived the requirement of two bathrooms at many of the food court restaurants at the World Financial Center because of the existence of public bathrooms at the Center which in many cases are a greater distance than fifty feet. [Applicant will at least have one bathroom at the Premises.]

Section 48.9

Alternatively, waiver of the second bathroom is being sought under Section 48.9 of the SLA rules which provides that waiver may be granted by

- (b) a showing of hardship, extreme emergency or exceptional circumstances and that such waiver would not be inconsistent with the policy expressed in section 2 of the Alcoholic Beverage Control Law."

The Premises are located on one floor and is less than 3,000 square feet. The major portion of the anticipated business of the Applicant will be take out food during the lunch hour. (Note the trade name "Fresco On The Go"). The area between the seating and the kitchen are counters for food display for patrons to walk by and select what they wish to order. This area is approximately one-third of the space of the Premises. About thirty percent of the Premises in the rear is used for kitchen, office, support and one handicap bathroom. The balance of the Premises is a small bar and nineteen tables with thirty-six indoor seats. As noted from the plan (Exhibit C), the handicap bathroom is by law large enough to accommodate a wheelchair bound customer.

If the Applicant was not required to have a handicap bathroom, two regular bathrooms could have been installed in that space. There is no space in the kitchen or support area that could be given up to install a second bathroom without severely hurting the operation of the business.

A second bathroom could possibly be installed in the area where the tables for dining are located, however, there is no waste line to drain such a bathroom in that area. The waste line in the building runs in the rear area where the handicap bathroom and kitchen are located. To connect a waste line from the seating area to the waste line running under the rear portion of the Premises and to install a second bathroom would incur an expense of more than \$75,000. Moreover, seating would have to be reduced from thirty-six to about twenty-eight. The cost and loss of seating would pose a substantial hardship to the Applicant.

It should also be noted that the bar is not connected to a waste line. The bar only contains a glass washing machine which recycles the water therein and does not require drainage to a waste line.

Accordingly, we submit that Applicant has satisfied the hardship test of Section 48.9(b). The second requirement under the rule is that such waiver would not be inconsistent with the policy expressed in Section 2 of the Alcoholic Beverage Control Law. It appears that having one bathroom or two bathrooms is not relevant in promoting temperance and

determining whether public convenience and advantage will be promoted by the issuance of the license.

Department of Buildings' Approval

The building plans for the Applicant have been approved by the New York City Department of Buildings as per Exhibit D, thus evidencing that such plans with one bathroom are in full compliance with the Building Code of the City of New York. (Note last page of Exhibit D which shows that permit could be issued based on plan approval.)

Conclusion

In light of the foregoing, the SLA is urged to waive the requirement of a second bathroom for the reason that since the seating is limited to thirty-six, Applicant's customers will not be seriously inconvenienced because there is another bathroom forty-nine feet away or because of the serious hardship to Applicant as to the reduction in seating and cost arising from the installation of a second bathroom.

Additionally, since the Department of Buildings has accepted one bathroom for the Premises, the public policy of the City of New York is being satisfied and, therefore, the SLA should accept the one bathroom at least in this matter.

Thus, the two pronged test under Section 48.9(b) has been satisfied, to wit, there is a hardship and the waiver of the two bathroom rule is not inconsistent with Section 2.

Accordingly, it is respectfully requested that the full Board of the SLA vote to approve the liquor license

application submitted by Starjem LLC with only one bathroom.

Dated: November 16, 1998

ROBERT V. FERRARI  
Attorney for Applicant  
300 East 42nd Street  
New York, New York 10017



**CERTIFICATION IN SUPPORT OF APPLICATION**

ANTHONY SCOTTO, JR., certifies to the New York State  
Liquor Authority ("SLA") as follows:

1. I am a manager/member of Starjem LLC ("Applicant"), the Applicant for an on premises liquor license at 40 East 52nd Street, New York, New York 10022 (the "Premises") and make this certification in support of Applicant's request to waive the requirement of two bathrooms at the Premises.

2. I understand that this application is being submitted to the full Board of the SLA because Applicant has only one bathroom at the Premises, instead of two bathrooms as required by Section 48.4(d)(2) of the SLA rules.

Section 48.4(d)(2)

3. Section 48.4(d)(2) may be waived by the SLA provided there is a satisfactory showing that such facilities are in an area adjacent or approximate to the licensed premises and available to the patrons thereof".

4. The principals of Applicant are also the principals of Starjem Restaurant Inc. which owns and operates Fresco, a restaurant at 34 East 52nd Street. The entrance to the premises is located less than fifty feet from the entrance to Fresco (see diagram annexed as Exhibit A). Both patrons and employees of Applicant will be permitted to utilize Fresco's separate bathrooms.

5. Waiver of the second bathroom is being sought under this rule. The SLA has previously waived the requirement of two bathrooms at many of the food court restaurants at the World Financial Center because of the existence of public bathrooms at the Center which in many cases are a greater distance than fifty feet. [Applicant will at least have one bathroom at the Premises.]

Section 48.9

6. Alternatively, waiver of the second bathroom is being sought under Section 48.9 of the SLA rules which provides that waiver may be granted by

(b) a showing of hardship, extreme emergency or exceptional circumstances and that such waiver would not be inconsistent with the policy expressed in section 2 of the Alcoholic Beverage Control Law."

7. Annexed hereto as Exhibit B is the interior diagram of the Premises submitted with the application. As noted, the Premises are located on one floor and is less than 3000 square feet. The major portion of the anticipated business of the Premises will be take out food during the lunch hour. (Note the trade name "Fresco On The Go"). The area between the seating and the kitchen are counters for food display for patrons to walk by and select what they wish to order. This area is approximately one-third of the space of the premises. About thirty percent of the Premises in the rear is used for kitchen, office, support and one handicap bathroom. The balance of the Premises is a small bar and

nineteen tables with thirty-six indoor seats. As noted from the plan, the handicap bathroom is by law large enough to accommodate a wheelchair bound customer. If the Applicant was not required to have a handicap bathroom, two regular bathrooms could have been installed in that space. There is no space in the kitchen or support area that could be given up to install a second bathroom without severely hurting the operation of the business.

8. A second bathroom could possibly be installed in the area where the tables for dining are located, however, there is no waste line to drain such a bathroom in that area. The waste line in the building runs in the rear area where the handicap bathroom and kitchen are located. To connect a waste line from the seating area to the waste line running under the rear portion of the Premises and to install a second bathroom would incur an expense of more than \$75,000. Moreover, seating would have to be reduced from thirty-six to about twenty-eight. The cost and loss of seating would pose a substantial hardship to the Applicant. The reason for the high cost is the fact that there is another tenant occupying the space below the Premises and work on the drain line can only be done during evenings and weekends necessitating overtime charges and delay.

9. It should also be noted that the bar is not connected to a waste line. The bar only contains a glass washing machine which recycles the water therein and does

not require drainage to a waste line.

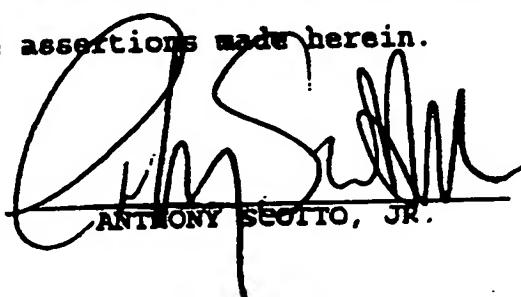
Summary

10. As noted, the major portion of the business will be take out food. There will only be thirty-six seats at the Premises which is not a very large number of persons for using only one bathroom. Moreover, the restaurant concept is casual dining and seated customers will be at the Premises most likely for less than an hour which means less use of the bathrooms. [If the objection is to using another store forty-nine feet away and walking outdoors, this objection should not apply to the patrons occupying the sidewalk cafe because they are already outdoors.]

11. It is respectfully requested that the SLA waive the requirement of a second bathroom for the reason that since the seating is limited to thirty-six, Applicant's customers will not be seriously inconvenienced because there is another bathroom forty-nine feet away or because of the serious hardship to Applicant in installing such second bathroom.

12. This affirmation is submitted knowing that the SLA will rely on the truth of the assertions made herein.

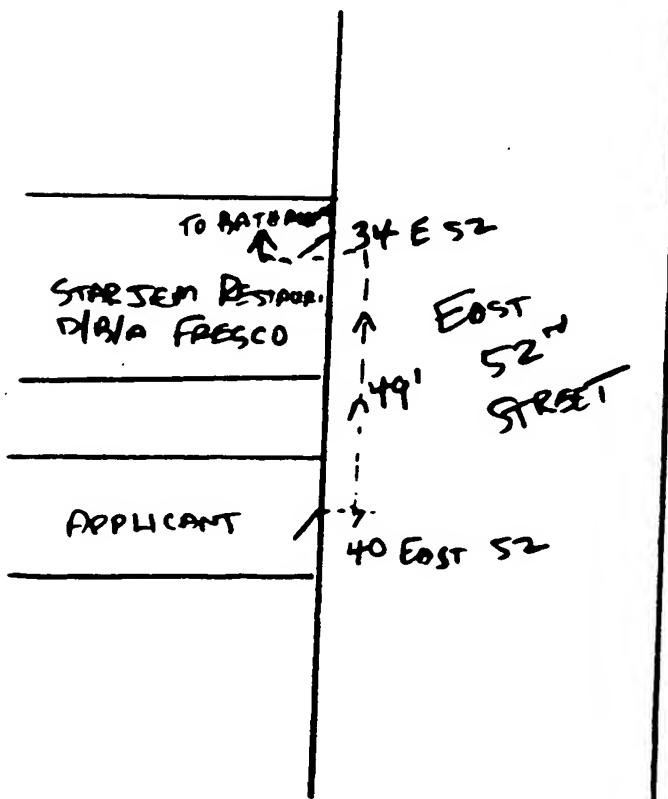
Dated: October 22, 1998



ANTHONY SESTITO, JR.



# DIAGRAM TO BATHROOMS



5

proval

ZONE: \_\_\_\_\_

DEPOSIT DATE: \_\_\_\_\_

SLIP NO.: \_\_\_\_\_

FEE: \_\_\_\_\_ AUDITED BY: \_\_\_\_\_

**Exhibit C**



1 PLASTIC LAM.	BACK COUNTER MILLWORK ONLY - COLOR TBO	BY G.C.
1 WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.
2 WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.

SCHLAEDEL FINISH

DOOR NUMBER  
SEE DOOR SCHEDULE

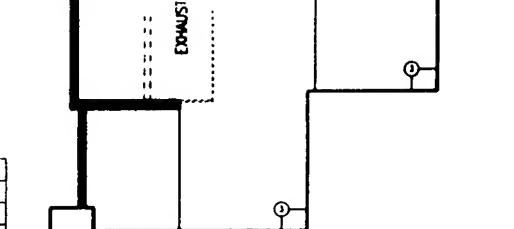
## 2 SCHEDULE

SIZE	DESCRIPTION
1'-4" x 7'-0"	PAINTED HOLLOW METAL
2'-8" x 7'-0"	PAINTED HOLLOW METAL
2'-8" x 7'-0"	PAINTED HOLLOW METAL
2'-6" x 7'-0"	PK POCKET DOOR PNTD WOOD

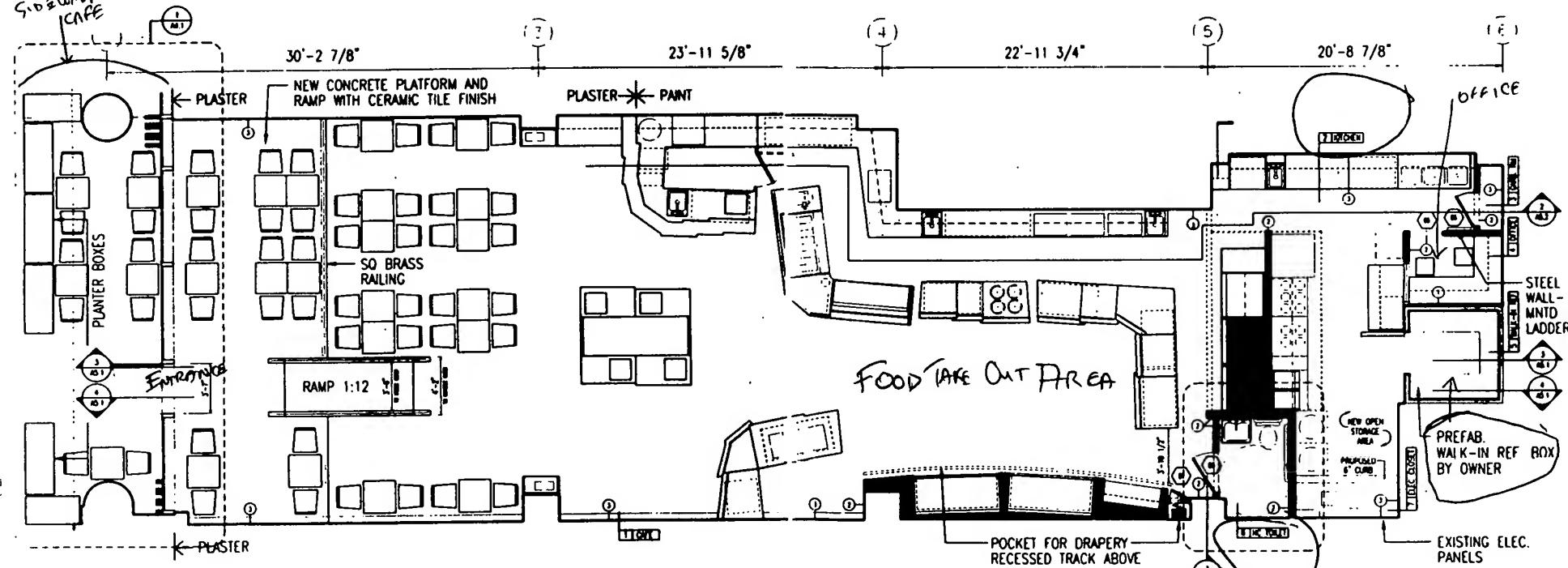
NO.	SIZE	DESCRIPTION
D6	2'-6" x 7'-0"	PAINTED HOLLOW METAL
D7	3'-0" x 7'-0"	PAINTED HOLLOW METAL
D8	3'-0" x 7'-0"	PAINTED HOLLOW METAL

## H.C. TOILET FIXTURES

REF	ITEM	MANUFACTURER	DESCRIPTION
TL1	TOILET	AM. STANDARD	2257.103 AFWALL
LV2	LAVATORY	WATERWORKS	RICHMOND THR124
LF1	FITTINGS	CHICAGO	802A-669
GB1	GRAB BARS	ASI-SIMPLICITY	J300 SERIES (36", 42")

2 MEZZANINE PLAN  
SCALE: 1/8"=1'-0"

START-EM LLC

E. ALL FRAMES TO BE WELDED. ALL HARDWARE BY SCHLACE OR EQUAL.  
UNENCLOSED  
G.D & WMX  
CAFE1 CONSTRUCTION PLAN  
SCALE: 1/8"=1'-0"

## Exhibit D





## **ManWork Approval Application**

**Application Must Be Typed/Printed**

International

**102074354**  
**DEPT. OF EDGES.**

THE CITY OF  
NEW YORK

DEPARTMENT OF BUILDINGS  
6921/T3

#### **SAFETY SET**

<input checked="" type="checkbox"/> Initial Filing 2.3.4.5.6	<input type="checkbox"/> Subsequent Filing 2.3.4.8.7.8.9.10	Job Number	Work Type Status / OT
<input type="checkbox"/> Job involves a development project.			
<input type="checkbox"/> Job involves tract housing/cluster.			
Number of buildings		Additions	Changes
Project Name <b>Fresco On The Go</b>		I am the original applicant awaiting final approval.	Assignment
Project ID# <b>1234567890</b>			Reassignment
Comments		I am a subsequent applicant taking responsibility for the term I specified herein.	Vendored

### **Location**

Borough Manhattan Block 1287 Lot(s) 28 Unit 1076267 C.R.N. 105  
House No(s) 40 Street Name East 52nd Street Apartment No(s).  
Special Place Name Fresco on the Go Floor(s) 1st

**3APM.com**

The following information represents a change to the original filing.

Last Name	Mann	Fst. Name	David	M.I. B.
Business Name	M.R. Architect & Decor		Business Phone 212 529 0606	
Address	611 Broadway, Room 534		City	New York ZIP 10012
P.E.	<input checked="" type="checkbox"/>	RA	Other:	
			Lic. No. 024860-1	

**Learning Representations**

Last Name **Rodriguez** First Name **Steve** M.L.  
 Business Name **Milrose Consultants, Inc.** Business Phone **(212) 643-4545**  
 Address **214 West 29th Street** City **New York** State **NY** Zip **10001**

LAWRENCE COMMUNICATION

<u>Checklist 14 Assurances Requested</u>	<u>Old Code Review Requested</u>	<u>WICZ Zoning</u>	<u>Quality Housing</u>	<u>Site Safety Job</u>
Legitimation of work done after 1/1/80	Application is being made to comply with:	Local Law 5 of 1987 Local Law 18 of 1986		

#### UP-SCROLL

New Building	B.B., B.C., B.E., B.D., Schedule A	Occupation:	0	Special Status, Limitations or Restrictions		
Alteration	7	Improved Property		Restrictive Declaration	Landmark	Single Room Occupancy
Demolition	B.B., B.D.	Unimproved Property		Res.	BSA Calendar Number	
Sign	T.A.B., T.B.A., 12	Condominiums		Page No.	CPC Calendar Number	
Place of Assembly	11	Related Job Number:		Other:		

### **Applications**

Annotation : Type I (Change in S of CM Composite 1A-1A, 1B-1B, Pattern 1)

Alteration - Type I (Complex B/C or O) Complex 7A & 9, 10, 18, Schedule A		Sched One	New C of O	Amended C of O
Change ID	Description	Room Count/Dividing Units	Excess	Permit Description
- Construction	Occupancy Use Residential	Room Count/Dividing Units Vertical		
X Alteration - Type II	Complex 7A and indicated sections and schedules	Sched One	Equipment Installation	Equipment Repair / Modification
PL Plumbing	- 9, 10A, PW-1B	PB Fuel Burning	- 9, PW-1C	9A Operator - 9, 10A, 10B, 10C, 14, PW-1B
MH Room / HVAC	- 9, 10A	PS Fuel Storage	- 9, PW-1C	9A Fire Alarm - 9, 14
SL Boiler	- 9, PW-1C	SD Sprinklers	- 9, 10A, 10B, 10C, 10D	SP Fire Suppression - 9, 14
X Alteration - Type III	Complex sections 7A & 9 (EC, CC, or OT work areas only), 9, 10A, 10B, 10C, 10D			General Const.

**Part A Job Description Required for all applicants**

**Instrument Panel Dash** \$10,000 net

Removal of interior non-load bearing partitions and related finishes, as per plans filed herewith. No change in use, egress or occupancy.

Information about members | Resources | Log in | Help | About | Contact us | Site map

**8 Work Types Submitted** (check one)

PL	Name	PL	Name	PL	Name	PL	Name
MM	MACH/VAC			FA	Fire Alarm	X	Zoning
BL	Boiler	- PW-1C		CD	Construction Equip.	AR	Architectural
PB	Fuel Burning	- PW-1C		PP	Fire Suppression	ST	Structural
FS	Fuel Storage	- PW-1C		CC	Cuts Cut	NP	No Plans
SD	Shingles	- 14		X	OT		

are submitted by applicant at this time, if any.

**9 Plans Submitted**

ZD	Zoning	ME	Mechanics	
X	AR	Architectural	PL	Plumbing
ST	Structural	PO	Foundation	
NP	No Plans			

• Description: General Const.

**-10 Building Characteristics****Part A**

Zoning District(s) C5-3

Special District Name

Map Number 8D

**Part B Occupancy Classification**

Ex	Pr.	Class	Name	Ex	Pr.	Class	Name
		A	High Hazard			F-1b	Assembly (Churches, Concert Halls)
		B-1	Storage (Moderate Hazard)			F-2	Assembly (Auditorium)
		B-2	Storage (Low Hazard)			F-3	Assembly (Meeting Room)
		C	Manufacturing			F-4	Assembly (Restaurant)
		D-1	Industrial (Moderate Hazard)			G	Education
X		D-2	Industrial (Low Hazard)			H-1	Institutional (Residential)
		E	Business			H-2	Institutional (Nonresidential)
		F-1a	Assembly (Theatre)			J-1	Residential (Homes)

Multiple Dwelling Classification (required for all J-1 and J-2 classifications)

**Part C Construction Classification**

Ex	Pr.	Non-Combustible	Ex	Pr.	Combustible	Ex	Pr.	Old Code
		I-A 4 Hour Protected			H-A Heavy Timber			1 Fire-resistive Structures
X		I-B 3 Hour Protected			H-B Protected Wood Joists			2 Fire-protected Structures
		I-C 2 Hour Protected			H-C Unprotected Wood Joists			3 Non-protected Structures
		I-D 1 Hour Protected			H-D Protected Wood Frame			4 Wood Frame Structures
		I-E Unprotected			H-E Unprotected Wood Frame			5 Metal Structures
								6 Heavy Timber Structures

**Part D**

Number of Stories 23

Street Frontage Dimension (Dimensions only)

Height 276'

Number of Dwelling Units 0

## Ex Pr. Fire Protection Equipment

Voluntary Required

X Sprinkler

X+ Sprinkler

X Fire Alarm System

**Part E****502a Area Characteristics**

		Open Spaces	
Yes Fresh Water Wetlands		Leaching Surface	sq. ft.
Yes Urban Residential	X	Parking	sq. ft.
Total Gross Floor Area of Building	sq. ft.	Number of Parking Spots	Leaching Surface

**11 Places of Assembly**

Proposed Number of Persons		One PA Number	
Lessee or Individual Responsible for Annual Permit Renewal Complete if different from building owner.			
Last Name	First Name	M.I.	
Business Name		Business Phone	
Address	City	State	ZIP

**12 Signs**

Color One		Color Two		Non-Illuminated	
Type of Sign	Ground	Wall	Roof		Roof sign is tight, closed or open
Height above roof level	ft.	ft.	ft.		
Projection beyond the Building Line	ft.	ft.	ft.		True Square Projection of Sig
Lessee or Individual Responsible for Annual Permit Renewal Complete if different from building owner.					sq. ft.
Last Name	First Name	M.I.			
Business Name		Business Phone			
Address	City	State	ZIP		

W.L.Bond.D

### 13 Construction - Equipment

Sidewalk/Sidewalk	Scaffold	Chas.	Fence	Other:
Material of Construction		SEAL/MEA Approval Number	Scaffolding/Sidewalk/Liner Fee	

## **14 Fire Protection Equipment**

SP Sprinkler	Automatic	Non-Automatic	Entire	Partial
FA Fire Alarm System	Automatic	Non-Automatic	Entire	Partial
SD Standby			Entire	Partial
	Automatic	Non-Automatic	Entire	Partial

#### 15 Plot Diagram of Zoning Lot

(a) Diagram must show the correct street lines from the City Pier; the plot to be built upon in relation to the street lines and the portion of the lot to be occupied by the building; the legal process and the zoning grades, properly identified, of several or selected points from the proposed buildings in each direction; see below Numbers and the Block and Lot Registers, from which dimensions of lots can be taken.

Street Status

Private      Public      Legal Watch

102074354  
DEPT. OF BLDGS.

**102074354**  
**DEPT. OF BLDGS.**



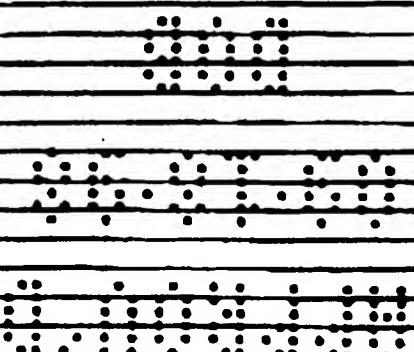
**Description of Land and Premises**

The Zoning Lot on which the premises is located is bounded as follows:

beginning at a point on the of the corner formed by the intersection of	size of	distance	last
running fence	last fence		last
fence	last fence		last
fence	last fence		last
fence	last fence		last
to the point of beginning.			

18 Comments

**For New Businesses - Unique Number of Shares proposed:**



<b>Statements and Signatures</b>													
<b>Applicant's Statements</b> All applicants must complete and sign below <input checked="" type="checkbox"/> I prepared or supervised the preparation of the plans and specifications herewith submitted and to the best of my knowledge and belief, the plans and work shown thereon comply with the provisions of the Building Code and other applicable laws and regulations. <input type="checkbox"/> except as set forth in the accompanying documents.													
<b>Tract Housing Statement</b> Complete if applicable and sign below Reference Job Number <input type="checkbox"/> I hereby state that all specifications relating to this job are identical to those previously filed under the above referenced job number, except as specified herein.													
Acknowledgment <input checked="" type="checkbox"/> I acknowledge that I have read and completed with all instructions pertaining to this application and supplementary schedules submitted.													
Name David B. Mann Date Signature <i>D. B. Mann</i> 7/27/86 Job (P.B.C.R.A.) 													
<b>Owner's Statements</b> <input checked="" type="checkbox"/> I have authorized the applicant to file this application for the work specified herein and at future amendments.													
<b>Owner's Certification Regarding Occupied Housing Accommodations</b> The building to be altered, or the site of the new building, or the dwelling to be demolished or removed, as the case may be, contains occupied housing accommodations subject to control under Chapter 3 of Title 20 of the Administrative Code.													
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
The owner has neither DCR nor his intention to file such plan(s) for such permit(s) and has complied with all requirements imposed by the regulations of such agency as prerequisites for such filing(s)/application(s).													
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
<b>Fee Exemption Request Statement</b> In accordance with 20-210 of the New York City Building Code I hereby state that the proposed work involves a building or property used exclusively for the purpose indicated in such section.													
<b>Owner</b> <b>Type of Ownership</b> <table border="1"> <tr> <td>Individual</td> <td>Corporation</td> <td><input checked="" type="checkbox"/> Partnership</td> <td>Non-Profit</td> </tr> <tr> <td>Last Name</td> <td>First Name</td> <td colspan="2">Government</td> </tr> <tr> <td>Rudin</td> <td>Jack</td> <td colspan="2"></td> </tr> </table> <b>Title</b> Partner Business Name <b>Rudin Management Co., Inc.</b> , Agents for <b>40 East 34th Street</b> Address <b>345 Park Avenue</b> City <b>New York</b> State <b>NY</b> ZIP <b>10154</b> Phone <b>212-407-2400</b> Name of Signer <b>Richard Concanon V.P.</b> Relationship to Building Owner <b>Officer of Rudin Mgmt. Co., Inc.</b> Signature <i>Richard F. Concanon</i> Date <b>9/1/86</b> <b>If Corporation, name of second officer</b> Last Name <b></b> First Name <b>M.L.</b>		Individual	Corporation	<input checked="" type="checkbox"/> Partnership	Non-Profit	Last Name	First Name	Government		Rudin	Jack		
Individual	Corporation	<input checked="" type="checkbox"/> Partnership	Non-Profit										
Last Name	First Name	Government											
Rudin	Jack												
Publication of any statement is a misdemeanor under Section 28-124 of the Administrative Code and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both.													

<b>Internal Use</b>	
<b>Application Complete for Filing and Fee Estimate</b> Amount Due Cost Estimate (if different from application) Pre-Plan Name Date	
<b>Approval</b> <b>Examined and Recommended for Approval</b> Approved for <input checked="" type="checkbox"/> Foundation <input checked="" type="checkbox"/> Envelope Only Examiner Name <i>[Signature]</i> Examiner Signature <i>[Signature]</i> Date <b>3EP 15 86</b>	
Initial Amount Paid Verified By <input type="checkbox"/> Date	
Reserve Paid Verified By <input type="checkbox"/> Date	
Change and Certification: <i>08-38</i>	
<b>Other Approvals</b> Examiner Name Examiner Signature <input type="checkbox"/> Date Approved <input type="checkbox"/> Through Superintendent's Signature <input type="checkbox"/> Date	

HELLO WORLD

THE CITY OF

NEW YORK

WORK



PERMIT

**DEPARTMENT OF BUILDINGS**

PERMIT NO. 102074354-01-EW.DT INITIAL ISSUED 09/21/98 EXPIRES 11/10/98

LOCATION MANHATTAN 40 EAST 52 STREET APPROVED 09/18/98

WORK ALT2 - GEN. CONSTRUCTN.  
removal of interior non-load bearing partitions and related finishes, as per

ZONING N/A SPECIAL DISTRICT N/A FIN: 13-3854424

SE N/A NO. DWELLINGS N/A STORIES N/A

TOTAL FLOOR AREA N/A LANDMARK MF N/A

MBO 10

*Frank J. Brown, R.A.*

COMMISSIONER OF BUILDINGS

BOROUGH SUPERINTENDENT

EMERGENCY TELEPHONE DAY 212 312-8530 NIGHTS & WEEKENDS 212 312-8280

OP-33 (10/92)

# MEMORANDUM

State Liquor Authority  
License Bureau

**To:** Members of the Authority

**Date:** November 5, 1998

**From:** Deputy Commissioner Fred J. Gioffre

**Subject:** Serial # NEW OP 8460  
Starjem LLC  
dba: Fresco On The Go  
40 East 52nd Street  
New York, NY 10022

**REPRESENTATIVE:**  
Robert V. Ferreri, Esq.  
300 East 42nd Street  
New York, NY 10017  
212-972-7040

**For Direction:** Hardship, premises has only one bathroom applicant requests waiver of second bathroom requirement under Sec. 48.4(d) (2) of ABC Law.

---

The second bathroom for this premises is located in the applicants other premise Starjem Restaurant Inc., 34 East 52nd Street (NY OP 6650) Approximately 49' down the street.

Premises is located on first floor and is less than 3000 sq. feet. Major portion of business will be take out food during the lunch hour. The area between the seating and kitchen are counters for food display, for patrons to select what they wish to order, is 1/3 of space. 30% of space is kitchen office support and the first handicap bathroom, balance of premises is a small bar, 19 tables and 36 seats.

Affidavit of Anthony Scotto Jr. Attached.

Sussman

KJS/ch

ROBERT V. FERRARI

ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017  
(212) 972-7040  
TELECOPIER (212) 922-1939

RICHARD H. BYRNES

October 23, 1998

**RECEIVED**

Mr. Ken Sussman  
State Liquor Authority  
11 Park Place  
New York, New York 10007

OCT 26 1998

LICENSE PROCESSING  
Per

Re: Starjem LLC  
40 East 52nd Street  
New York, New York 10022

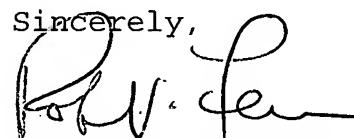
Dear Mr. Sussman:

I understand that you have the above application for the purpose of preparing it for the full Board of the SLA.

Enclosed is a further certification in support of the application which argues for an alternative hardship under Section 48.9 of the rules.

I would appreciate your resubmitting the application to the License Board to see whether this certification would allow it to give the waiver. If not, you can then put it on the full Board calendar.

Very best regards.

Sincerely,  
  
Robert V. Ferrari

RVF:hm  
Enclosure  
By Hand

**CERTIFICATION IN SUPPORT OF APPLICATION**

ANTHONY SCOTTO, JR., certifies to the New York State Liquor Authority ("SLA") as follows:

1. I am a manager/member of Starjem LLC ("Applicant"), the Applicant for an on premises liquor license at 40 East 52nd Street, New York 10022 (the "Premises") and make this certification in support of Applicant's request to waive the requirement of two bathrooms at the Premises.
2. I understand that this application is being submitted to the full Board of the SLA because Applicant has only one bathroom at the Premises, instead of two bathrooms as required by Section 48.4(d)(2) of the SLA rules.

**Section 48.4(d)(2)**

3. Section 48.4(d)(2) may be waived by the SLA "provided there is a satisfactory showing that such facilities are in an area adjacent or approximate to the licensed premises and available to the patrons thereof".

4. The principals of Applicant are also the principals of Starjem Restaurant Inc. which owns and operates Fresco, a restaurant at 34 East 52nd Street. The entrance to the Premises is located less than fifty feet from the entrance to Fresco (see diagram annexed as Exhibit A). Both patrons and employees of Applicant will be permitted to utilize Fresco's separate bathrooms.

5. Waiver of the second bathroom is being sought under this rule. The SLA has previously waived the requirement of two bathrooms at many of the food court restaurants at the World Financial Center because of the existence of public bathrooms at the Center which in many cases are a greater distance than fifty feet. [Applicant will at least have one bathroom at the Premises.]

Section 48.9

6. Alternatively, waiver of the second bathroom is being sought under Section 48.9 of the SLA rules which provides that waiver may be granted by

(b) a showing of hardship, extreme emergency or exceptional circumstances and that such waiver would not be inconsistent with the policy expressed in section 2 of the Alcoholic Beverage Control Law."

7. Annexed hereto as Exhibit B is the interior diagram of the Premises submitted with the application. As noted, the Premises are located on one floor and is less than 3000 square feet. The major portion of the anticipated business of the Premises will be take out food during the lunch hour. (Note the trade name "Fresco On The Go"). The area between the seating and the kitchen are counters for food display for patrons to walk by and select what they wish to order. This area is approximately one-third of the space of the premises. About thirty percent of the Premises in the rear is used for kitchen, office, support and one handicap bathroom. The balance of the Premises is a small bar and

nineteen tables with thirty-six indoor seats. As noted from the plan, the handicap bathroom is by law large enough to accommodate a wheelchair bound customer. If the Applicant was not required to have a handicap bathroom, two regular bathrooms could have been installed in that space. There is no space in the kitchen or support area that could be given up to install a second bathroom without severely hurting the operation of the business.

8. A second bathroom could possibly be installed in the area where the tables for dining are located, however, there is no waste line to drain such a bathroom in that area. The waste line in the building runs in the rear area where the handicap bathroom and kitchen are located. To connect a waste line from the seating area to the waste line running under the rear portion of the Premises and to install a second bathroom would incur an expense of more than \$75,000. Moreover, seating would have to be reduced from thirty-six to about twenty-eight. The cost and loss of seating would pose a substantial hardship to the Applicant. The reason for the high cost is the fact that there is another tenant occupying the space below the Premises and work on the drain line can only be done during evenings and weekends necessitating overtime charges and delay.

9. It should also be noted that the bar is not connected to a waste line. The bar only contains a glass washing machine which recycles the water therein and does

TOTAL P.05

not require drainage to a waste line.

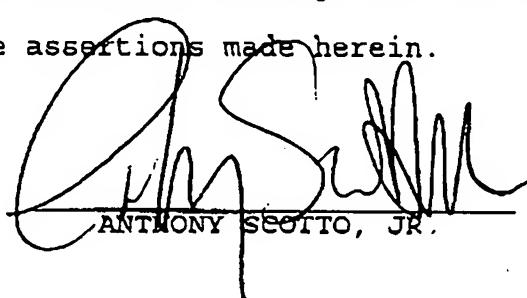
Summary

10. As noted, the major portion of the business will be take out food. There will only be thirty-six seats at the Premises which is not a very large number of persons for using only one bathroom. Moreover, the restaurant concept is casual dining and seated customers will be at the Premises most likely for less than an hour which means less use of the bathrooms. [If the objection is to using another store forty-nine feet away and walking outdoors, this objection should not apply to the patrons occupying the sidewalk cafe because they are already outdoors.]

11. It is respectfully requested that the SLA waive the requirement of a second bathroom for the reason that since the seating is limited to thirty-six, Applicant's customers will not be seriously inconvenienced because there is another bathroom forty-nine feet away or because of the serious hardship to Applicant in installing such second bathroom.

12. This affirmation is submitted knowing that the SLA will rely on the truth of the assertions made herein.

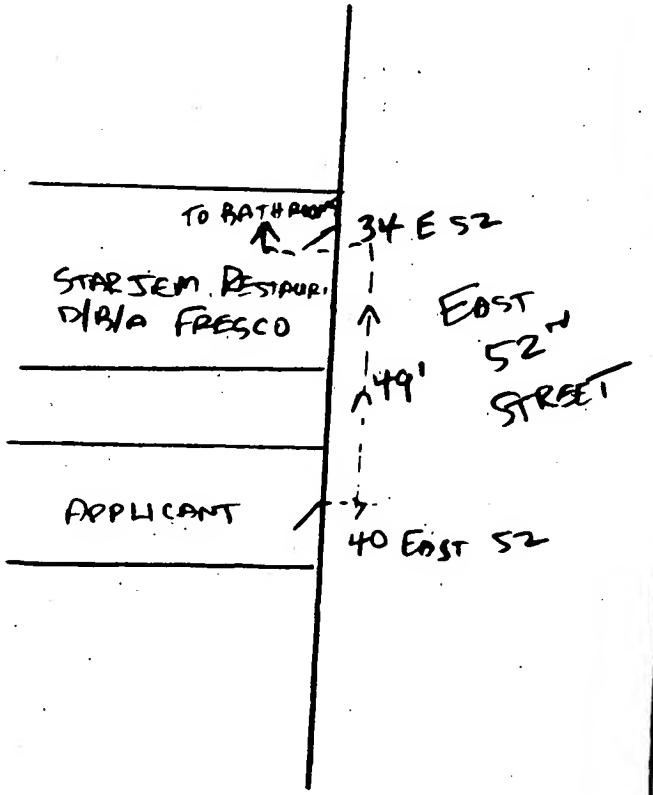
Dated: October 22, 1998



ANTHONY SCOTTO, JR.

**EXHIBIT A**

# DIAGRAM TO BATHROOMS



5

proval

ZONE: \_\_\_\_\_

DEPOSIT DATE: \_\_\_\_\_ SLIP NO: \_\_\_\_\_ FEE: \_\_\_\_\_ AUDITED BY: \_\_\_\_\_

**EXHIBIT B**

ROBERT V. FERRARI

ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

September 25, 1998

RICHARD H. BYRNES

Mr. Mike Sikowsky  
Senior Investigator  
State Liquor Authority  
11 Park Place  
New York, New York 10007

Re: Starjem LLC  
40 East 52nd Street  
New York, New York 10022

Dear Mr. Sikowsky:

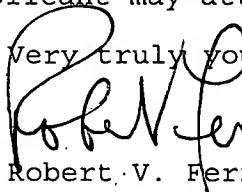
This is to confirm our telephone conversation today during which you informed me that the fact that there is only one bathroom on the applicant's premises poses a problem for approval, even though two additional bathrooms are offered at the premises 49 feet away owned by the applicant's principals.

Enclosed is a copy of Section 48.4(d)(2) of the SLA rules and regulations which provides that the requirement of two bathrooms may be waived by the Authority "provided there is a satisfactory showing that such facilities are in an area adjacent or proximate to the licensed premises and available to the patrons thereof".

It is the contention of the applicant that the other premises meet this standard for waiver.

Accordingly, it is requested that in the event that the License Bureau will not approve the application based on the aforesaid rule, that the application be submitted to the full Board for consideration. In the event such submission to the full Board is made, I would greatly appreciate notice so that myself and principals of the applicant may attend the meeting.

Very truly yours,

 RECEIVED  
Robert V. Ferrari

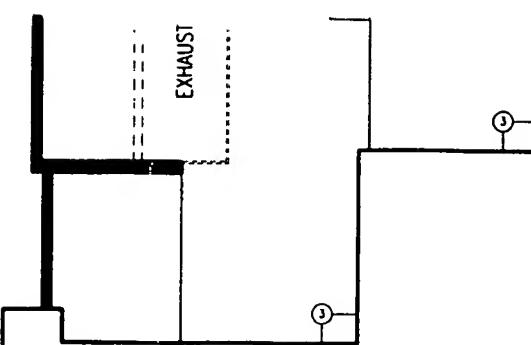
RVF:hm  
Enclosure  
cc: Mr. Anthony Scotto w/encl.

SEP 28 1998

LICENSE BOARD  
Per \_\_\_\_\_

1 PLASTIC LAM.	BACK COUNTER MILLWORK ONLY - COLOR TBD	BY G.C.
1 WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.
-2 WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.

SCHEDULED FINISH  
DOOR NUMBER  
SEE DOOR SCHEDULE



## R SCHEDULE

SIZE	DESCRIPTION
1'-4" x 7'-0"	PAINTED HOLLOW METAL
2'-8" x 7'-0"	PAINTED HOLLOW METAL
2'-8" x 7'-0"	PAINTED HOLLOW METAL
2'-6" x 7'-0"	PK POCKET DOOR PNTD WOOD

NO.	SIZE	DESCRIPTION
D6	2'-6" x 7'-0"	PAINTED HOLLOW METAL
D7	3'-0" x 7'-0"	PAINTED HOLLOW METAL
D8	3'-0" x 7'-0"	PAINTED HOLLOW METAL

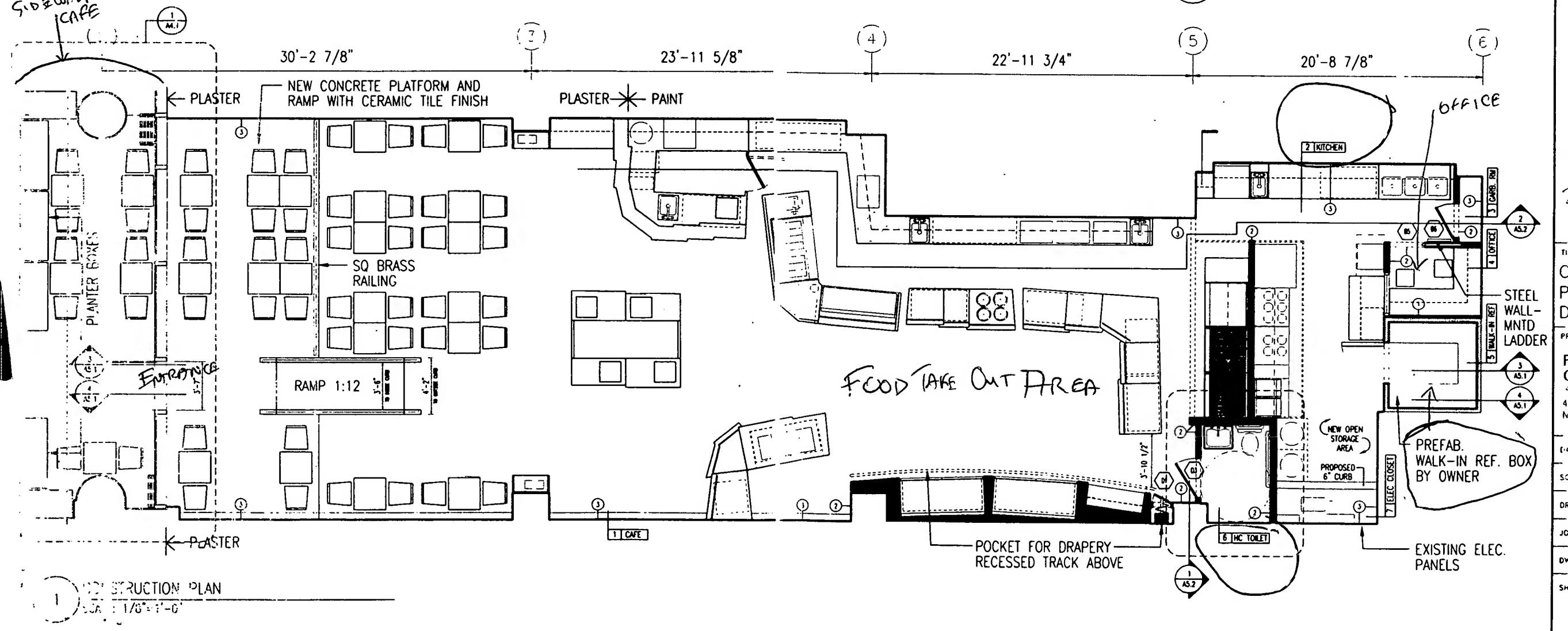
## H.C. TOILET FIXTURES

REF	ITEM	MANUFACTURER	DESCRIPTION
TL1	TOILET	AM. STANDARD	2257.103 AFWALL
LV2	LAVATORY	WATERWORKS	RICHMOND THR124
LF1	FITTINGS	CHICAGO	802A-669
GB1	GRAB BARS	ASI-SIMPLICITY	3200 SERIES (36", 42")

E. ALL FRAMES TO BE WELDED. ALU. HARDWARE BY SCHLAGE OR EQUAL

UNENCLOSED  
SIDE WALK  
CAFE

START EM LLC





STATE LIQUOR AUTHORITY

STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

84 Holland Avenue  
Albany, New York 12208

11 Park Place  
New York, New York 10007

125 Main Street  
Buffalo, New York 14203

IN REPLYING REFER TO

DEC 2 - 1998  
NOVEMBER 25, 1998

MARION SCOTTO  
350 EAST 72<sup>ND</sup> STREET  
NEW YORK, NY 10021

Re: NEW YORK OP 8460  
STARJEM LLC  
DBA: FRESCO ON THE GO  
40 EAST 52<sup>ND</sup> STREET  
NEW YORK, NY 10022

APPROVAL EXPIRATION  
DATE: 5/18/99

Dear Sir:

The Members of the Authority at their regular meeting held on 11/18/98 approved your application for an ON PREMISES LIQUOR LICENSE waiving requirement of two (2) separate sanitary facilities and subject to submission by you of an affidavit to our LICENSE PROCESSING UNIT, 11 Park Place, New York, NY 10007, 3<sup>rd</sup> floor, indicating compliance with the following conditions:

- ✓ 1. That the premises are constructed and equipped in accordance with the plans and specifications as approved by the Liquor Authority.
- ✓ 2. That the premises will be provisioned, staffed and conducted in accordance with the plan of management and/or method of operation submitted with the application to the Liquor Authority.
- ✓ 3. That the financing of the business, including the construction of the proposed premises is in accordance with information supplied in support of the application to the Liquor Authority.
- ✓ 4. That the premises have been completed and are ready to be opened and operated by the applicant.
- ✓ 5. Subject to submission of two photographs of both the exterior and interior of premises 5"x 7" are to be submitted showing premises open and operating.
- ✓ 6. Subject to submission of SLA FORM 180-12, in duplicate, if you are an employer of one or more employees or a corporation.

- continued -

NEW YORK OP 8460  
STARJEM LLC  
DBA: FRESCO ON THE GO

DEC 2 - 1998  
NOVEMBER 25, 1998

✓  
-2-

✓ 7. Subject to submission of a valid Certificate of Occupancy reflecting the current use of these premises.

This letter of approval shall be void if you do not comply with the conditions contained in this letter prior to the expiration date set forth above. If you cannot comply within the time allowed, you may send an extension of time. Instructions for making application for an extension of this letter of approval are enclosed herewith.

Very truly yours,

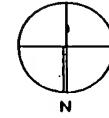
STATE LIQUOR AUTHORITY

*Barbara Joanni Lord*

BARBARA JOANNI LORD  
SECRETARY TO THE AUTHORITY

✓ ENCLS.: FORM 2-33 STIPULATION  
FROM LB-38 INSTRUCTIONS  
FORM 180-12

✓ CC: ROBERT V. FERRARI, ESQ.  
300 EAST 42<sup>ND</sup> STREET  
NEW YORK, NY 10017



N

NO.	DATE:	REVISION:

**M.R. ARCHITECTURE & DECOR**  
611 BROADWAY ROOM 834  
NEW YORK, NEW YORK 10012  
(212) 529-0606 F (212) 529-0303

## WOOD PLANTER BOX DETAILS

PROJE

**FRESCO**  
40 EAST 52ND STREET  
NEW YORK, NY

DATE: MAY 4 1998

SCALE **Feet**

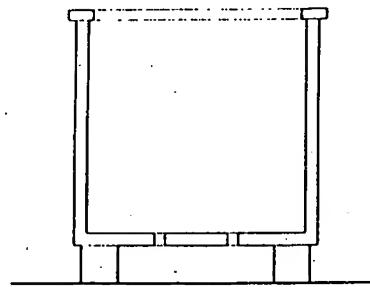
OLAWRE

JOB NO: 9813

DOC FILE: 00037001.0

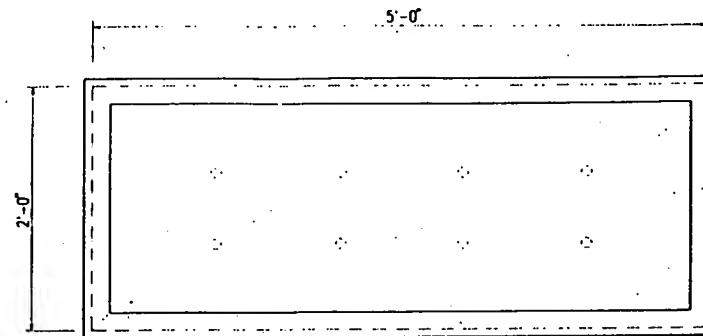
100

P.4



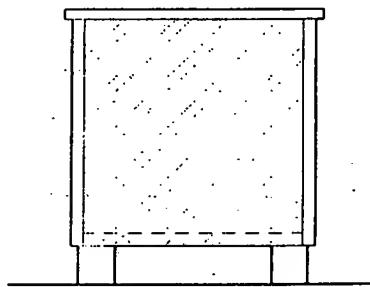
1 SECTION @ PLANTER BOX  
SCALE: 1'-1"-0"

SCALE: 1'-0"



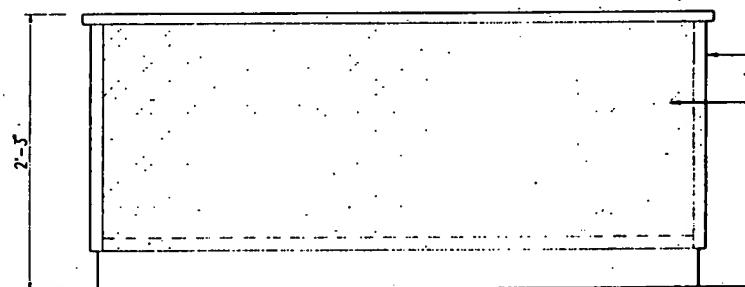
**PLAN ① PLANTER BOX**

SCALE: 1"



3 SIDE ELEVATION  
SCALE: 1"-1'-0"

SCENE: 1-1-05

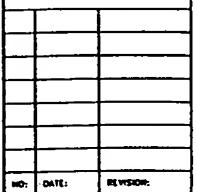


- P.T. WOOD  
PLANTER BOX
- P.T. WOOD  
SLATS

4 FRONT ELEVATION  
SCALE: 1"-1'-0"

4

N



NO. DATE REVISION

M.R. ARCHITECTURE & DECOR  
611 BROADWAY ROOM 934  
NEW YORK, NEW YORK 10019  
T 212.529.0600 F 212.529.6265

PROPOSED EXT.  
IMPROVEMENT  
ELEVATION

PROJECT:

F R E S C O

40 EAST 52ND STREET  
NEW YORK, NY

DATE: MAY 6 1990

SCALE: 1/8" = 1'-0"

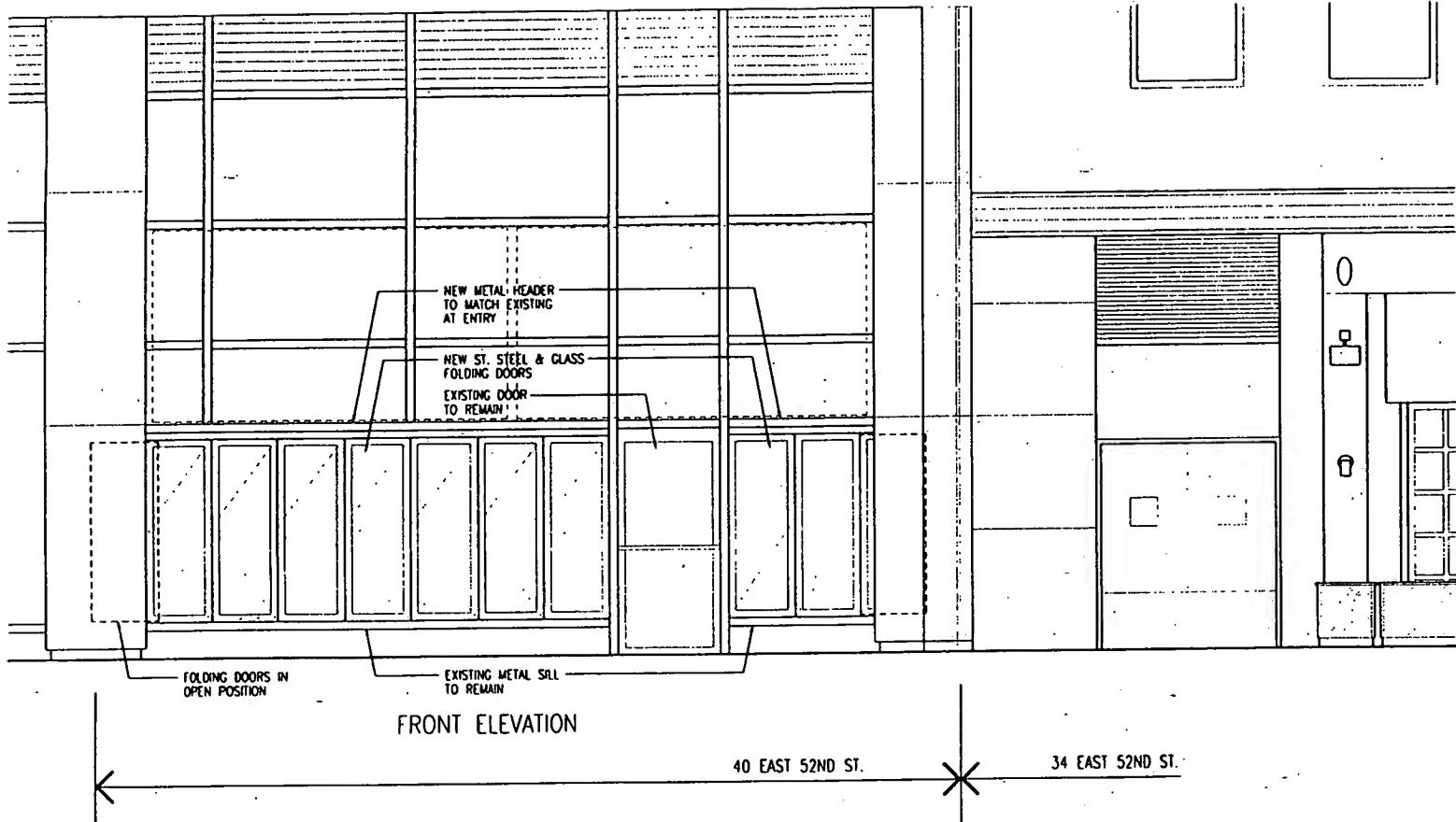
DRAWE:

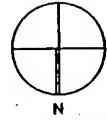
JOB NO: 9813

DRW FILE: DRCS/TEP1.dwg

SHEET:

P.3





NO. DATE: REVISION:

M.R. ARCHITECTURE & DECOR  
611 BROADWAY ROOM 834  
NEW YORK, NEW YORK 10019  
T 212.339.0800 F 212.339.0303

PROPOSED EXT.  
IMPROVEMENT  
ELEVATION

PROJECT:

FRESCO  
40 EAST 52ND STREET  
NEW YORK, NY

DATE: MAY 6 1998

SCALE: 1/4" = 1'-0"

DRAWN:

JOB NO. 9813  
DWG FILE: DWGS/REP1.dwg

SHET#:

P.2



FRONT ELEVATION

40 EAST 52ND ST.

34 EAST 52ND ST.

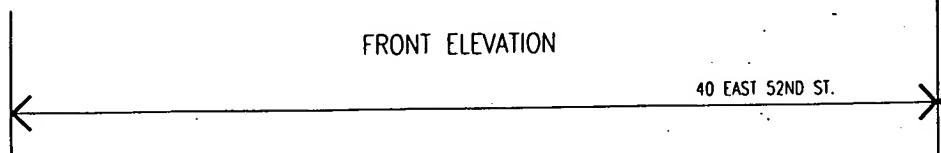
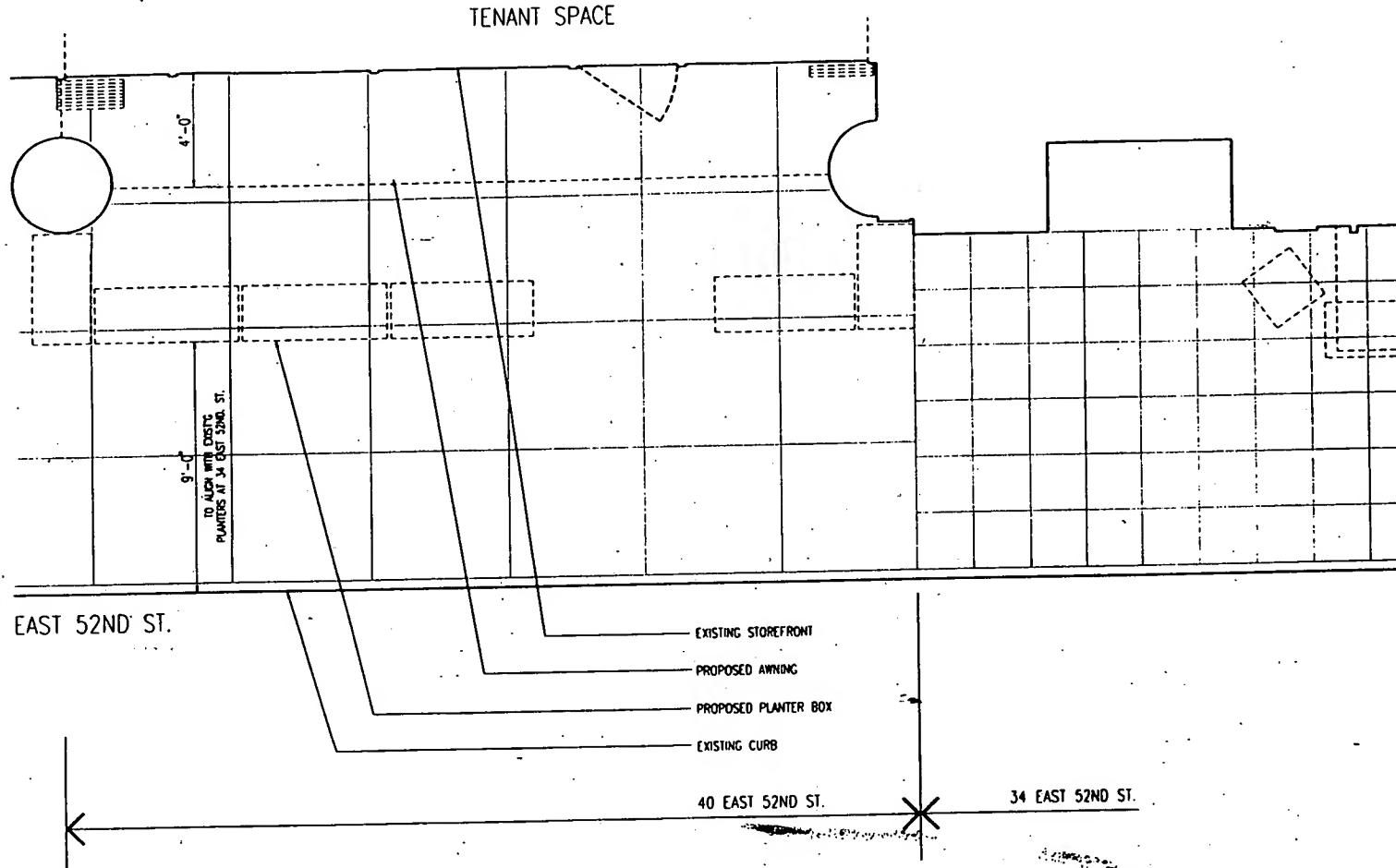


EXHIBIT 2

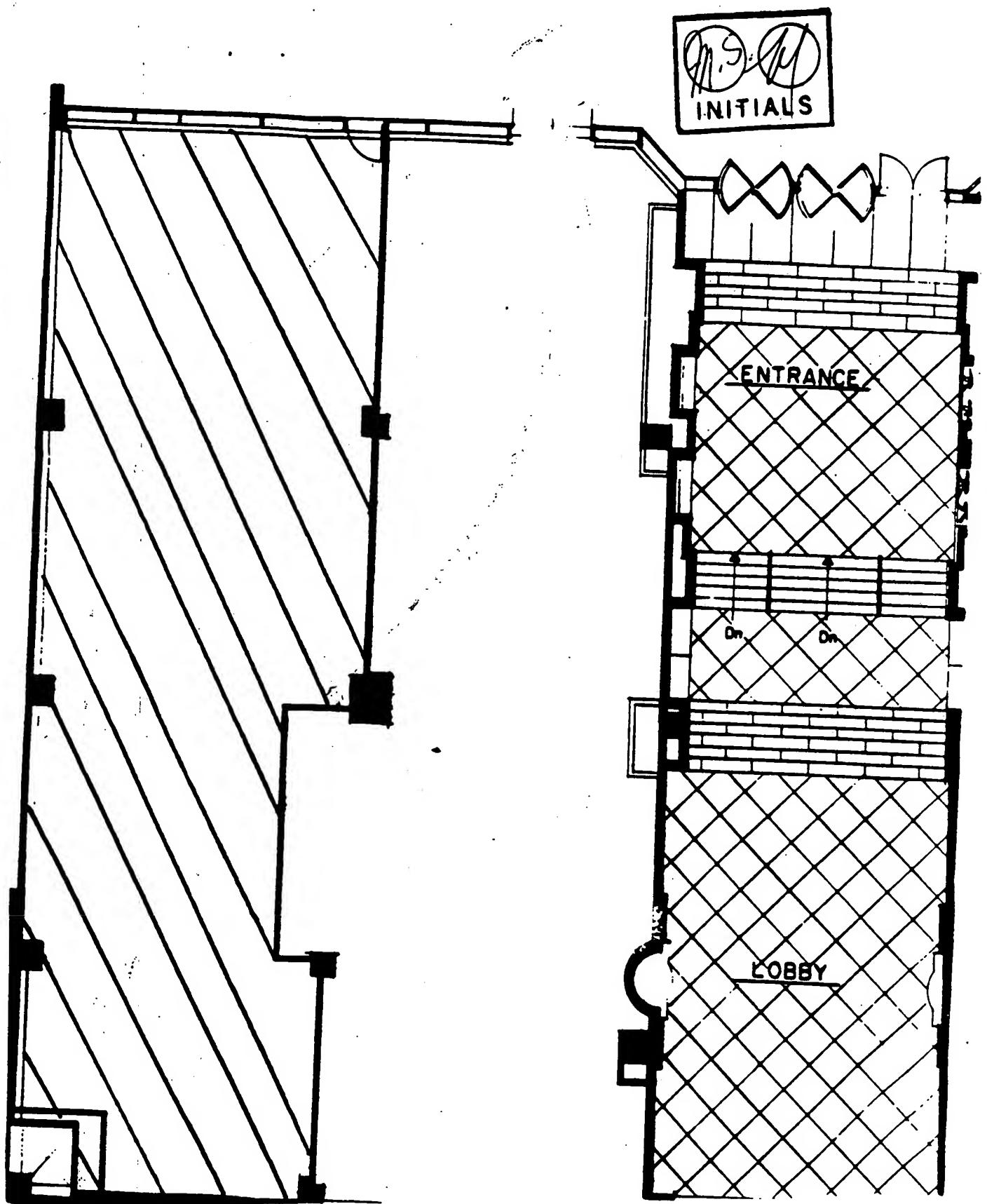
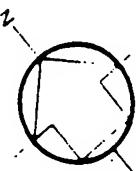


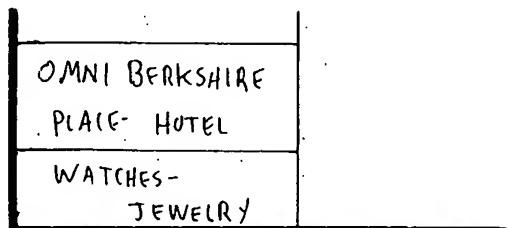
N

NO:	DATE:	REVISION:
M.R. ARCHITECTURE & DECOR		
611 BROADWAY ROOM 534 NEW YORK, NEW YORK 10012 (212) 529.0606 / (212) 529.0303		
PROPOSED EXT. IMPROVEMENT PLAN		
PROJECT:		
F.R.E.S.C.O		
40 EAST 52ND STREET NEW YORK, NY		
DATE:	MAY 6 1980	
SCALE:	1/8"=1'-0"	
DRAWR:		
JOB NO:	9813	
DRG FILE:	DRCO/TPP1.dwg	
SHEET:	P.1	

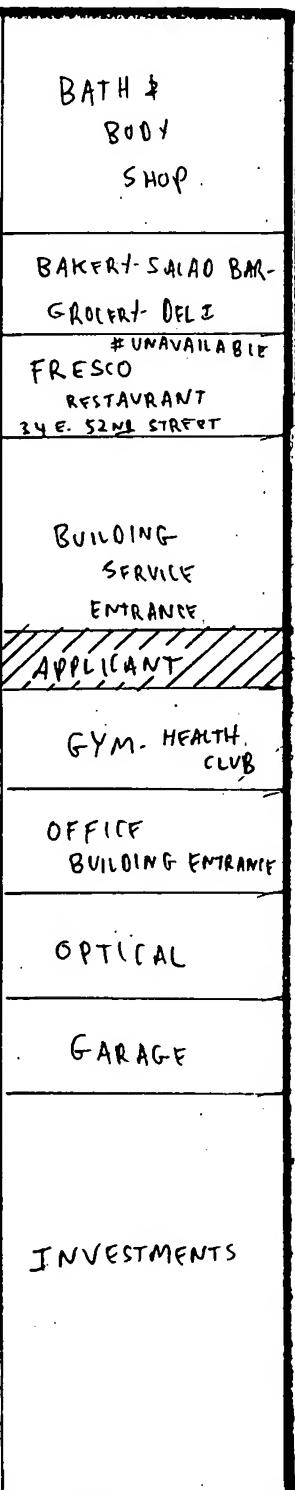
EXHIBIT 1

This floor plan of a portion of the street level store in the Building known as 40 East 52nd Street, New York City, is annexed to this Lease and is made a part hereof solely to delineate by outlining and diagonal markings the Demised Premises. All areas, dimensions, conditions and locations are approximate.

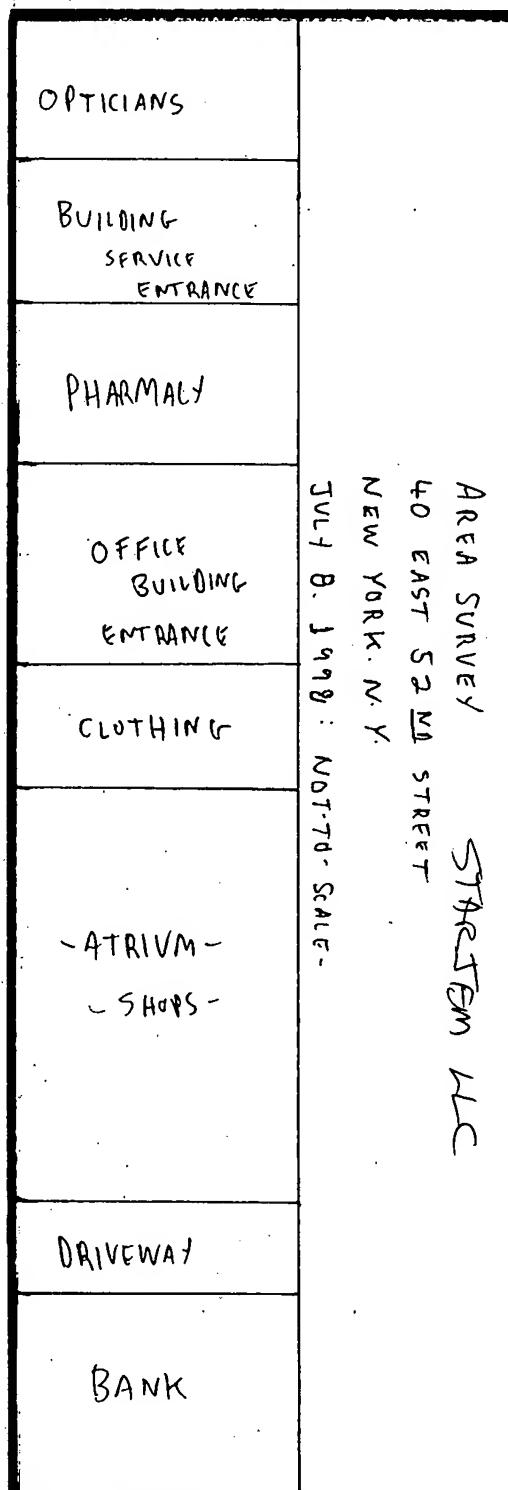




- MADISON AVENUE -



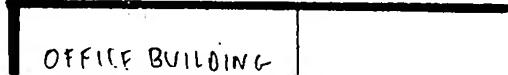
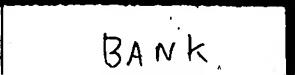
- EAST 52ND STREET -



AREA SURVEY STARTER LLC  
40 EAST 52 ND STREET  
NEW YORK, N.Y.

JULY 8, 1998 : NOT TO SCALE.

- PARK AVENUE -



## FINISH SCHEDULE

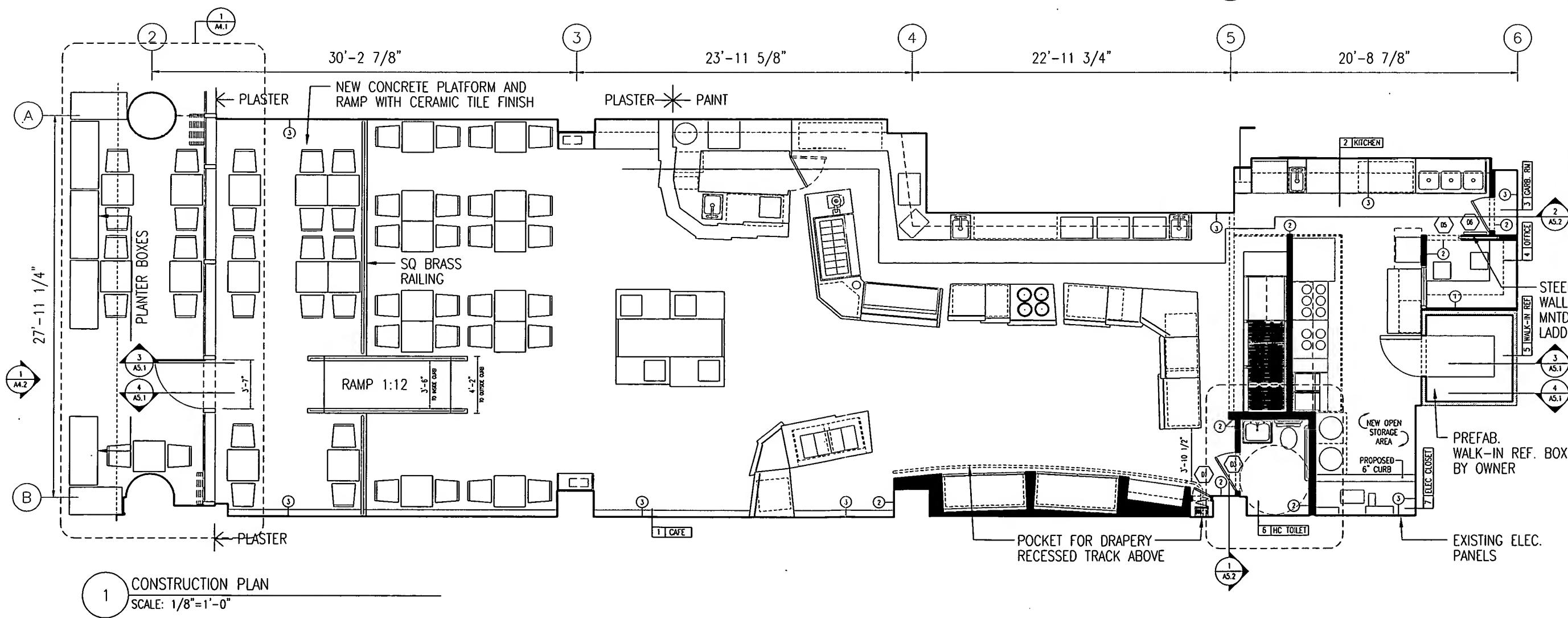
REF.	ITEM	DESCRIPTION	TELEPHONE
B-1	CERAMIC BASE	5" BASE (BS) ROCKS BY COLOR MASSA, COLOR 11072 URALI	212-979-6400 by STONE SOURCE
CT-1	CERAMIC TILE	15"x15" ROCKS BY COLOR MASSA, COLOR 11072 URALI	212-979-6400 by STONE SOURCE
GL-1	GLASS	1/4" THICK CLEAR SNEEZE GUARDS	BY G.C.
GT-1	GLASS TILE	TESSERA RECYCLED IRIDESCENT TILE COLOR: AMBER 09	212-255-4450 by TILES
M-1	METAL	BRASS	BY G.C.
PA-1	PLASTER	GLAZE PLASTER 7394 YELLOW OCHRE STONE	212-966-0676 by FRESCO
P-1	PAINT	BM	BY G.C.
P-2	PAINT	BM	BY G.C.
P-3	PAINT	BM	BY G.C.
P-4	PAINT	BM	BY G.C.
PL-1	PLASTIC LAM.	BACK COUNTER MILLWORK ONLY - COLOR TBD	BY G.C.
WD-1	WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.
WD-2	WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.

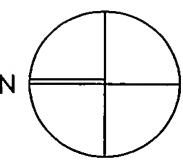
## DOOR SCHEDULE

NO.	SIZE	DESCRIPTION
D1	1'-4"x7'-0"	PAINTED HOLLOW METAL
D2	2'-8"x7'-0"	PAINTED HOLLOW METAL
D3	2'-8"x7'-0"	PAINTED HOLLOW METAL
D5	2'-6"x7'-0" PK	POCKET DOOR PNTD WOOD

NO.	SIZE	DESCRIPTION
D6	2'-6"x7'-0"	PAINTED HOLLOW METAL
D7	3'-0"x7'-0"	PAINTED HOLLOW METAL
D8	3'-0"x7'-0"	PAINTED HOLLOW METAL

NOTE: ALL FRAMES TO BE WELDED. ALL HARDWARE BY SCHLAGE OR EQUAL





2 7-9-98  
1 7-7-98 BID ISSUE  
NO: DATE: REVISION:

M.R. ARCHITECTURE & DECOR

611 BROADWAY ROOM 534  
NEW YORK, NEW YORK 10012  
T 212.529.0606 F 212.529.0303

TITLE:  
EXTERIOR  
IMPROVEMENT  
ELEVATION

PROJECT..  
**FRESCO  
ON THE GO**

40 EAST 52ND STREET  
NEW YORK, NY

DATE: AUGUST 13 1998

SCALE: 1/4"=1'-0"

DRAWN:

JOB NO: 9813

DWG FILE: DWGS/FR-EXT1.dwg

SHEET:

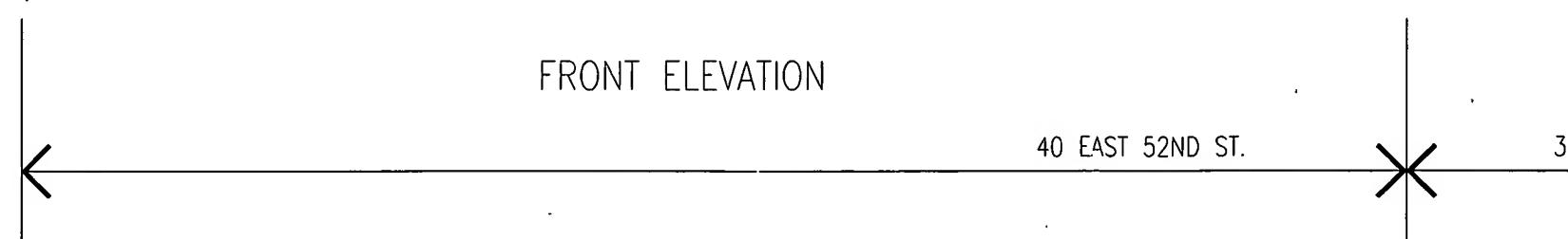
A4.2



FRONT ELEVATION

40 EAST 52ND ST.

34 EAST 52ND ST.



## NOTIFICATION RIDER TO APPLICATION

---

**All applicants for On Premise Liquor Licenses, MUST complete Section C.**

### NOTICE TO MUNICIPALITY/COMMUNITY BOARD

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of an application for a license to sell liquor at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

### CERTIFICATION RIDER TO APPLICATIONS

I hereby certify that I have complied with the requirements of Section 64, Subdivision 2a of the Alcoholic Beverage Control Law, and have sent notification of my application to become licensed, by certified mail, return receipt requested to the Clerk of the City, Town, Village (circle one) of \_\_\_\_\_ or, in New York City, the Clerk of Community Board # 5 Borough of Manhattan, where the premises are located.

Marion S. Scott  
Signature

August 20, 1998  
Date

**NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.**

---

\*The original receipt and a copy of the letter sent to the municipality must be presented when you file your application. **Copies of the receipt will not be accepted.**

---

### PHONE LISTINGS FOR NEW YORK CITY RESIDENTS

If you are unsure of which community board serves the area in which your premises are located, call the number listed below for the office of your Borough President:

<u>Manhattan</u>	<u>Bronx</u>	<u>Queens</u>	<u>Staten Island</u>	<u>Brooklyn</u>
212-669-8300	718-590-3500	718-286-2900	718-816-2200	718-802-3700

P 185 812 682

US Postal Service  
**Receipt for Certified Mail**

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to <b>COMMUNITY BOARD #5</b>	
Street Number 450 Seventh Avenue Suite 2109	
Post Office, State, & ZIP Code New York, New York 10001	
Postage	\$ .32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
<b>TOTAL Postage &amp; Fees</b> \$1.67	
Postmark or Date <b>POSTED</b>	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address ~~of the article~~, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

ROBERT V. FERRARI

ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

RICHARD H. BYRNES

August 19, 1998

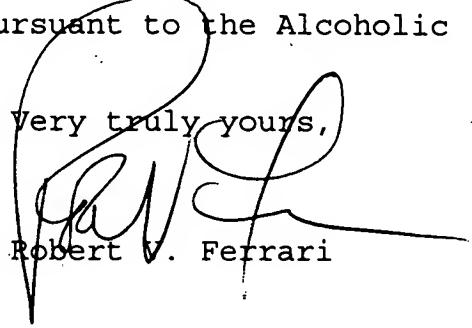
Community Board #5  
450 Seventh Avenue  
Suite 2109  
New York, New York 10001

Re: Starjem LLC  
d/b/a Fresco on the Go  
40 East 52nd Street  
New York, New York 10022

Dear Sir/Madam:

As attorney for the above restaurant, I am advising you that Starjem LLC intends to apply to the State Liquor Authority for an on premises liquor license at the above location. The owners of Starjem LLC also own and operate Fresco, a fine dining establishment located at 34 East 52nd Street.

Notice is hereby given pursuant to the Alcoholic Beverage Control Law.

Very truly yours,  
  
Robert V. Ferrari

RVF:hm  
Via Certified Mail, Return  
Receipt Requested

ROBERT V. FERRARI  
ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017  
(212) 972-7040  
TELECOPIER (212) 922-1939

RICHARD H. BYRNES

August 19, 1998

Community Board #5  
450 Seventh Avenue  
Suite 2109  
New York, New York 10001

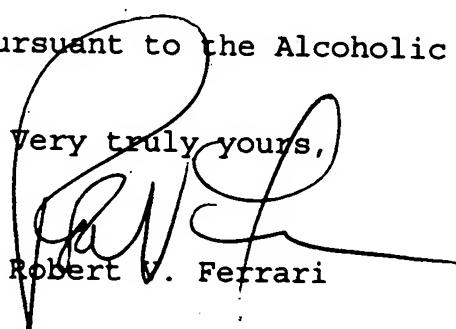
Re: Starjem LLC  
d/b/a Fresco on the Go  
40 East 52nd Street  
New York, New York 10022

Dear Sir/Madam:

As attorney for the above restaurant, I am advising you that Starjem LLC intends to apply to the State Liquor Authority for an on premises liquor license at the above location. The owners of Starjem LLC also own and operate Fresco, a fine dining establishment located at 34 East 52nd Street.

Notice is hereby given pursuant to the Alcoholic Beverage Control Law.

Very truly yours,

  
Robert V. Ferrari

RVF:hm  
Via Certified Mail, Return Receipt Requested

P 185 812 b82

US Postal Service  
**Receipt for Certified Mail**  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Recipient COMMUNITY BOARD #5 450 Seventh Avenue Suite 2109 New York, New York 10001	Postage \$ .32	Certified Fee 1.35	Special Delivery Fee 00	Restricted Delivery Fee 00
Post Office, State, & ZIP Code New York, New York 10001	Date & Date Delivered Aug. 1998	Return Receipt Shown Yes	Return Receipt Shown Yes	Return Receipt Shown Yes
		Date & Addresser's Signature Robert V. Ferrari	Date & Addresser's Signature Robert V. Ferrari	Date & Addresser's Signature Robert V. Ferrari
		Total Postage & Fees \$ .67		

PS Form 3800, Rev. 12-91  
1995

**ENJING**

13 March 2004  
11:00am

**E DELIVE**

*in Tape*  
11:00am

**RECEIVED**

**LES CO**

*in The Go*





NO STANDING  
EXCEPT PERMIT  
7AM-7PM  
DURING CONSTRUCTION

COMING IN  
SEPTEMBER

FRESCO  
On The Go

Breakfast  
Lunch

To Go/Delivery

Catering

Eat in/Eat Out

STATE OF NEW YORK - LIQUOR AUTHORITY  
Renewal Application (Directions for Completion enclosed)

License fee: 3,400.00  
Filing fee: 90.00  
Total fee due: 3,490.00  
Due now if choosing installment option: 1,790.00

New effective date: 03/01/2001  
New expiration date: 02/28/2003

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

FELECIA DOWIE  
RECEIVED JAN 30 2001

NEW SERIAL#: 1027037 OLD SERIAL#: 011NEWOP0008460252  
40 E 52ND STREET NEW YORK, NY 10022

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

ALL QUESTIONS MUST BE ANSWERED.

Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.

1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority write "YES" in Box #1 and set forth details of changes in facts in the appropriate **SCHEDULES A AND/OR B** on the reverse side. If no changes in facts have occurred, write "NO" in Box #1.

1.  No

2. State whether said licensed business presently is regularly kept open and operated by the applicant.

YES  NO

3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office.

3.

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

APPLICANT HEREBY AGREES THAT ANY APPLICATION FILED UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY ANY PERSON HAVING ANY INTEREST, DIRECT OR INDIRECT, EITHER IN THE PREMISES OR IN THE BUSINESS TO BE LICENSED, FOR ANY LICENSE OR PERMIT, SHALL BE DEEMED AND MADE A PART HEREOF AND CONSIDERED BY THE STATE LIQUOR AUTHORITY IN ACTING UPON THIS APPLICATION.

THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of PARTNERSHIP  
INDIVIDUAL APPLICANTS AND EACH MEMBERS OF PARTNERSHIP COMPLETE THIS SECTION.

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority

Date \_\_\_\_\_

(Signature of licensee(s))

(Residence)

(Home Phone)

THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION

CORPORATE OFFICER COMPLETE THIS SECTION

ELAINA SCOTTO-FAUCETTA

certifies that he is LLC MEMBER

(Title)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

1/25/01

Dated \_\_\_\_\_

*Elaina Scotto-Faucetta*

(Signature of authorized officer)

360 East 88th Street, New York, NY 10028

(Residence) (212) 826-3687 (Home Phone)

DATE

APPROVED

DISAPPROVED

S.L.A. BY \_\_\_\_\_

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
(Renewal Application)

**ADDRESS CHANGES OR CORRECTIONS:** Note if address was changed by Post Office, City, Town, Village or 911 Emergency Systems, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed		Post office address of premises (If different)
City, town or village - Zip Code	Telephone Number	City, town or village - Zip Code (If different)
Landlord Name		Landlord Address

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

**Use this schedule "A"** to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported had not been acknowledged by the Authority. (If more space is needed, attach rider).

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case

1b. **Use this schedule, "B"** to set forth details of any outstanding loans and/or such "changes" (other than arrests, etc.) which had not been reported to the Authority or having been reported, had not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).

Nature of Change	Date	Details

#### NOTIFICATION RIDER TO RENEWAL APPLICATION

#### ON PREMISES LIQUOR LICENSEES ONLY MUST COMPLETE THIS SECTION

#### NOTICE TO MUNICIPALITY/COMMUNITY BOARD

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of an application for a license to sell liquor at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

#### CERTIFICATION RIDER TO APPLICATIONS

I hereby certify that I have complied with the requirements of Section 64, subdivision 2a of the Alcoholic Beverage Control Law, and have sent notification of my application-to-become licensed, by certified mail, return receipt requested to the Clerk of the City, Town, Village (circle one) of \_\_\_\_\_, or, in New York City, the Clerk of Community Board # 5 Borough of Manhattan where the premises are located.

**FRESCO ON THE GO**

Trade Name

40 East 52nd Street, New York, New York 10022

Address of Premises

Ilaria Scotti-Puccetti

1027037

1/25/01

Signature

License Number

Date

**NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.**

You must keep the certified mail receipt for your records!



# EXCISE BOND UNDERWRITERS

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

100 WILLIAM STREET • NEW YORK, N.Y. 10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

LIQUOR

	BOND EXPIRES IN	BOND NUMBER
001--15	X-B12868--00	[REDACTED]

Penal Sum of Bond

FEBRUARY, 2003

KNOW ALL MEN BY THESE PRESENTS, that we,

\$1,000.00 Plus Costs

Name of Applicant

STARJEM LLC  
FRESCO ON THE GO

40 EAST 52ND STREET  
NEW YORK NY 10022

Address of Place of Business

In the county of **NEW YORK** State of **NEW YORK** as Principal, and **GREAT AMERICAN INSURANCE COMPANY**  
having an office and usual place of business at **5 DAKOTA DRIVE**  
**LAKE SUCCESS NY 00000**

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 25 day of JANUARY,

2001

STARJEM LLC

L.S.

Principal

BY: Elana Scotto-Fructuosa

GREAT AMERICAN INSURANCE COMPANY



APPLICANT MUST SIGN HERE

DATA ENTERED

*John L. Corneau*

Attorney-in-fact

(OVER)

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

CONDITIONS

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

ON-PREMISES LIQUOR LICENSE

2003 1 NEW OP 8460 252



LICENSE EFFECTIVE 03/01/2001

LICENSE EXPIRES 02/28/2003

# NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

SERIAL

1027037

FILING FEE \$90.00

COUNTY

NEW YORK

LICENSE FEE \$3,400.00

CERTIFICATE NUMBER

543482

CYCCLICAL CREDIT GROUP 3

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

Edward F. Kelly  
CHAIRMAN

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

**EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

When making inquiry, please refer to date below.

**TO THE LICENSEE**

Please be advised that an AUTHORIZATION FOR REFUND OF OVERPAYMENT, described herein, is being processed for payment.

Zone 1 County New Class 25

Refund Request No. NY 7897

Sheet No. N 692

Date: MAY 21 1998

Serial No.: 1 OP 8460

**License Cert. No.:** \_\_\_\_\_

To: COMPTROLLER \_\_\_\_\_

Payment is herewith authorized to the below described Licensee.

LICENSEE (Name and Address)

Starjem LLC  
c/o Marion Scotto  
[Redacted]

ATTORNEY OF RECORD (Name and Address)

1. Date application filed: 8/21/98

2. FEES RECEIVED:

(a) Deposit dates (all) 9/26/98

(b) Filing Fee (amount) \$ 100.00

(c) Consumer Fees, etc. (If any-total)

\$ \_\_\_\_\_

(d) License fees receive (Total-exclusive of filing and consumer fees) \$ 5100.00

and

number of full months such license fees represent 36

3. Date Notice of Approval sent n/a

4. Date License issued (or effective) 3/22/99

5. Number of months (including month of issue or effective) to expiration (minimum 6 months) 24

and amount of money such months represents \$3400.00

6. Amount of refund \$1700.00

no refund has previously been approved on account of said overpayment.

STATE OF LIQUOR AUTHORITY

by: Wayne Day

# New York State Liquor Authority

11 Park Place Third Floor  
New York, NY 10007  
(212) 417-4014  
Fax: (212) 417-4910

## RE: AUTHORIZATION FOR REFUND OF OVERPAYMENT

Date:

## TO THE LICENSEE:

Please be advised that an AUTHORIZATION FOR REFUND OF OVERPAYMENT, described herein, is being processed for payment.

When making inquiry, please refer to Data below.

Zone 1 County NY Class 252

Refund Request No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

Serial No. \_\_\_\_\_

License Certificate No. 1018460

1. Date Application Filed 8/21/98

### 2. FEES RECEIVED

(a) Deposit dates (all) 9/26/98

(b) Filing Fee \$ 100

(c) Consumer Fees, etc (if any)  
\$ \_\_\_\_\_

(d) License Fees Received  
(exclusive of b & c above)  
\$ 5100

Number of full months  
such lic. fees represent  
36

3. Date Notice of Approval sent N/A

4. Date License Issued/Effective 3/27/99

5. Number of months (including month  
of issue/effective) to Expiration  
(minimum 6 months) 24

Amount of money such months  
represent 3400

6. AMOUNT OF REFUND \$ 1700 -

No refund has previously been approved  
On account of said overpayment.

STATE LIQUOR AUTHORITY

## TO: COMPTROLLER

Payment is hereby authorized to:

LICENSEE

(Name and Address)

*Haryem LLC  
90 Manor Scoto*

ATTORNEY OF RECORD (Name and Address)

By \_\_\_\_\_

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
Renewal Application (Directions for Completion enclosed)

License fee: 4,352.00

Filing fee: 90.00

Total fee due: 4,442.00

New effective date:

RECEIVED FEB 10 2003

New expiration date: 02/28/2005

**SPECIAL MAILING REQUEST:** Complete if you want your license mailed to an address other than the licensed premises address:

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

143020

NEW SERIAL#: 1027037 OLD SERIAL#: 031NEWOPD008460252  
40 E 52ND STREET NEW YORK, NY 10022

*Make sure all names and address information is correct, if not make the necessary changes on the reverse side.*

**ALL QUESTIONS MUST BE ANSWERED.**

*Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.*

- If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority write "YES" in Box #1 and set forth details of changes in facts in the appropriate **schedules A and/or B** on the reverse side. If no changes in facts have occurred, write "NO" in Box #1.

1. NO

- State whether said licensed business presently is regularly kept open and operated by the applicant. 2.  YES  NO
- If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority. 3.  YES  NO  Not Applicable

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

APPLICANT HEREBY AGREES THAT ANY APPLICATION FILED UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY ANY PERSON HAVING ANY INTEREST, DIRECT OR INDIRECT, EITHER IN THE PREMISES OR IN THE BUSINESS TO BE LICENSED, FOR ANY LICENSE OR PERMIT, SHALL BE DEEMED AND MADE A PART HEREOF AND CONSIDERED BY THE STATE LIQUOR AUTHORITY IN ACTING UPON THIS APPLICATION.

**THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of A PARTNERSHIP**

**INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION.**

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Date \_\_\_\_\_

(Signature of licensee(s))

(Address)

(Home Phone)

**THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION**

**CORPORATE OFFICER COMPLETE THIS SECTION**

ELAINA SCOTTO - FAUCETTA certifies that he is an LLL MEMBER

(Title of Corporate Officer)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Dated

February 6, 2003

Elaina Scotto Faucetta

(Signature of authorized officer)

360 E. 88TH STREET, NY, NY 10028 / (212) 826-3687

(Address and Home Telephone)

DATE

APPROVED

DISAPPROVED

S.L.A. BY

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
(Renewal Application)

**ADDRESS CHANGES OR CORRECTIONS:** Note if address was changed by Post Office, City, Town, Village or 911 Emergency Systems, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed		Post office address of premises (If different)
City, town or village - Zip Code		Telephone Number
Landlord Name		Landlord Address

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

**Use this schedule "A"** to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. (If more space is needed, attach rider).

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case

1b. **Use this schedule, "B"** to set forth details of any outstanding loans and/or such "changes" (other than arrests, etc.) which have not been reported to the Authority or having been reported, had not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).

Nature of Change	Date	Details

**NOTIFICATION RIDER TO RENEWAL APPLICATION**

**ON PREMISES LICENSEES ONLY MUST COMPLETE THIS SECTION**

**NOTICE TO MUNICIPALITY/COMMUNITY BOARD**

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested. You must keep the certified mail receipt for your records.

**CERTIFICATION RIDER TO APPLICATIONS**

I hereby certify that I have complied with the requirements of Section 64, subdivision 2a of the Alcoholic Beverage Control Law, and have sent notification of my renewal application to become licensed, by certified mail, return receipt requested to the Clerk of the City, Town, Village (circle one) of \_\_\_\_\_, or, in New York City, the Clerk of Community Board # 5 Borough of MANHATTAN where the premises are located.

FRESCO ON THE GO  
Trade Name

40 EAST 52<sup>ND</sup> STREET, NEW YORK, NY 10022  
Address of Premises

H/W JA Faure  
Signature

1027037  
License Number

February 6, 2003  
Date

**NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.**

You must keep the certified mail receipt for your records!

# EXCISE BOND UNDERWRITERS

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y.10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

LIQUOR

BOND EXPIRES IN

BOND NUMBER

001--15

X-B12868--00

FEBRUARY, 2005

Penal Sum of Bond

\$1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we,

Name of Applicant

STARJEM LLC  
FRESCO ON THE GO

Address of Place of Business

40 EAST 52ND STREET  
NEW YORK

NY 10022

In the county of NEW YORK State of NEW YORK as Principal, and GREAT AMERICAN INSURANCE COMPANY  
having an office and usual place of business at 5 DAKOTA DRIVE  
LAKE SUCCESS NY 00000

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit, or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 6<sup>th</sup> day of FEBRUARY

2003

STARJEM LLC  
Principal  
By: Howard Fauchet

L.S.

GREAT AMERICAN INSURANCE COMPANY

*John L. Conner*  
Attorney-in-fact

APPLICANT MUST SIGN HERE

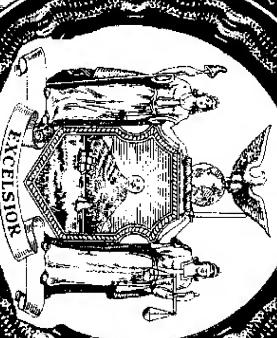
(OVER)

ON-PREMISES LIQUOR LICENSE

LICENSE EFFECTIVE 03/01/2003

2005 1 NEW OP 8460 252

LICENSE EXPIRES 02/28/2005



**NEW YORK STATE LIQUOR LICENSE**

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES, PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFTHAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

SERIAL 1027037

COUNTY NEW YORK

CERTIFICATE NUMBER 598256

FILING FEE \$90.00

LICENSE FEE \$4,352.00

CYCCLICAL CREDIT GROUP 3

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

Edward F. Kelly  
CHAIRMAN

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
Renewal Application (Directions for Completion enclosed)

License fee: 4,352.00  
Filing fee: 90.00  
Total fee due: 4,442.00

New effective date: 03/01/2005  
New expiration date: 02/28/2007

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

RECEIVED FEB 03 2005

231750

NEW SERIAL#: 1027037 OLD SERIAL#: 051NEWOP0008460252  
40 E 52ND STREET NEW YORK, NY 10022

(Premise address)

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

**ALL QUESTIONS MUST BE ANSWERED.**

*Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.*

1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority check "YES" and set forth details of changes in facts in the appropriate <b>schedules A and/or B</b> on the reverse side. If no changes in facts have occurred, check "NO".	YES      NO
1. <input type="checkbox"/> <input checked="" type="checkbox"/>	
2. State whether said licensed business presently is regularly kept open and operated by the licensee. If no, submit statement with explanation.	2. <input checked="" type="checkbox"/> <input type="checkbox"/>
3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority.	3. <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>

Not Applicable

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

APPLICANT HEREBY AGREES THAT ANY APPLICATION FILED UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY ANY PERSON HAVING ANY INTEREST, DIRECT OR INDIRECT, EITHER IN THE PREMISES OR IN THE BUSINESS TO BE LICENSED, FOR ANY LICENSE OR PERMIT, SHALL BE DEEMED AND MADE A PART HEREOF AND CONSIDERED BY THE STATE LIQUOR AUTHORITY IN ACTING UPON THIS APPLICATION.

**THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of A PARTNERSHIP**  
**INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION.**

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Date \_\_\_\_\_

(Signature of licensee(s))

(Home Address)

(Home Telephone)

**THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION OR A CLUB**

**CORPORATE OFFICER OR CLUB ALCOHOLIC BEVERAGE CONTROL (ABC) OFFICER COMPLETE THIS SECTION**

MARION SCOTTO

(Print Name of Corporate Officer)

certifies that he is

LLC Manager

(Print Title of Corporate Officer)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Marien Scotto

(Signature of authorized officer)

Date

Feb 1, 2005

350 EAST 72 ST  
NEW YORK, NY 10021 212-472-4466  
(Home Address and Home Telephone)

DATE

APPROVED

DISAPPROVED

S.L.A. BY \_\_\_\_\_

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
(Renewal Application)

**ADDRESS CHANGES OR CORRECTIONS:** Note if physical address of premises was changed by Post Office, City, Town, Village, 911 Emergency Systems, or 911 address reassignment, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed	Post office address of premises (if different)	
City, town or village - Zip Code	Telephone Number	City, town or village - Zip Code (If different)
Landlord Name	Landlord Address	

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

**Use this schedule "A" to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. (If more space is needed, attach rider).**

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case (submit copy)

1b. **Use this schedule, "B" to set forth details of any outstanding loans and/or such "changes" (other than arrests, etc.) which have not been reported to the Authority or having been reported, have not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).**

Nature of Change	Date	Details

**NOTIFICATION RIDER TO RENEWAL APPLICATION**

**ON PREMISES LICENSEES ONLY MUST COMPLETE THIS SECTION**

**NOTICE TO MUNICIPALITY/COMMUNITY BOARD**

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested. You must keep the certified mail receipt for your records.

**CERTIFICATION RIDER TO APPLICATIONS**

I hereby certify that I have complied with the requirements of Section 64, subdivision 2a of the Alcoholic Beverage Control Law, and have sent notification of my renewal application to become licensed, by certified mail, return receipt requested to the Clerk of the City, Town, Village (circle one) of \_\_\_\_\_ or, in New York City, the Clerk of Community Board # \_\_\_\_\_ Borough of \_\_\_\_\_ Manhattan where the premises are located.

Fresco On The Go  
Trade Name

40 East 52 St, New York, NY 10022  
Address of Premises  
Maine & Otto  
Signature 1027037 Serial Number 2/1/05  
Date

**NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.**

**You must keep the certified mail receipt for your records!**

# EXCISE BOND UNDERWRITERS

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y.10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

LIQUOR

001--16

A-012863--00

BOND EXPIRES IN

FEBRUARY, 2007

BOND NUMBER

KNOW ALL MEN BY THESE PRESENTS, that we,

Penal Sum of Bond  
1,000.00 Plus Costs

Name of Applicant

STARJEW LLC  
PRESCHOOL ON THE GO

Address of Place of Business

40 EAST 52ND STREET  
NEW YORK  
NY 10022

A copy of the bond is filed in the office of the State Liquor Authority, Albany, New York.

In the county of **NEW YORK** State of **NEW YORK** as Principal, and **GREAT AMERICAN INSURANCE COMPANY**  
having an office and usual place of business at **5 CEDAR DRIVE  
LAKE SUCCESS, NY 11040**

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law or of any of the rules now or hereafter issued by said State Liquor Authority; or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority; or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 13 day of FEBRUARY,

2005

STARJEW LLC  
Principal  
Marion Scott  
BY:

GREAT AMERICAN INSURANCE COMPANY

APPLICANT MUST SIGN HERE

John L. Connean  
Attorney-in-fact

ON-PREMISES LIQUOR LICENSE

2007-1 NEW OF 8460-252

LICENSE EFFECTIVE 03/01/2005

LICENSE EXPIRES 02/28/2007

# NEW YORK STATE LIQUOR AUTHORITY



THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OWNED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

SERIAL 1027037

COUNTY NEW YORK  
CERTIFICATE NUMBER 659600

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE \$90.00  
LICENSE FEE \$4,352.00  
CYCLICAL CREDIT GROUP 3

*Edward F. Kelly*  
Edward F. Kelly  
CHAIRMAN

BEFORE COMMENCING OR DURING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 100-038 (11/99)

Certificate No. G659600

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
Renewal Application (Directions for Completion enclosed)

License fee:  
Filing fee:  
Total fee due:

4,352.00  
90.00  
4,442.00

New effective date: 03/01/2007  
New expiration date: 02/28/2009

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

**SPECIAL MAILING REQUEST:** Complete if you want your license mailed to an address other than the licensed premises address:

RECEIVED FEB 15 2007

314215

NEW SERIAL#: 1027037 OLD SERIAL#: 071NEWOP0008460252  
40 E 52ND STREET NEW YORK, NY 10022  
(Premise address)

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

**ALL QUESTIONS MUST BE ANSWERED.**

Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.

1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority check "YES" and set forth details of changes in facts in the appropriate **schedules A and/or B** on the reverse side. If no changes in facts have occurred, check "NO".
2. State whether said licensed business presently is regularly kept open and operated by the licensee. If no, submit statement with explanation.
3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority.

YES      NO

1.

2.

3.

Not Applicable

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUNDS FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

APPLICANT HEREBY AGREES THAT ANY APPLICATION FILED UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY ANY PERSON HAVING ANY INTEREST, DIRECT OR INDIRECT, EITHER IN THE PREMISES OR IN THE BUSINESS TO BE LICENSED, FOR ANY LICENSE OR PERMIT, SHALL BE DEEMED AND MADE A PART HEREOF AND CONSIDERED BY THE STATE LIQUOR AUTHORITY IN ACTING UPON THIS APPLICATION.

**THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of A PARTNERSHIP**

**INDIVIDUAL APPLICANTS AND EACH MEMBER of A PARTNERSHIP COMPLETE THIS SECTION.**

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

MARION SCOTTO

(Print name of licensee(s))

Date \_\_\_\_\_

(Signature of licensee(s))

(Home Address)

(Home Telephone)

**THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION OR A CLUB**

**CORPORATE OFFICER OR CLUB ALCOHOLIC BEVERAGE CONTROL (ABC) OFFICER COMPLETE THIS SECTION**

MARION SCOTTO

(Print Name of Corporate Officer)

certifies that he is

LIC MANAGER

(Print Title of Corporate Officer)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

MARION SCOTTO

(Signature of authorized officer)

Date

FEBRUARY 12, 2007

350 EAST 72<sup>nd</sup> STREET  
NEW YORK, NY 10021 212-472-4466

(Home Address and Home Telephone)

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
(Renewal Application)

**ADDRESS CHANGES OR CORRECTIONS:** Note if physical address of premises was changed by Post Office, City, Town, Village, 911 Emergency Systems, or 911 address reassignment, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed		Post office address of premises (If different)	
City, town or village - Zip Code		Telephone Number	
Landlord Name		City, town or village - Zip Code (If different)	
Landlord Address			

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

**Use this schedule "A"** to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. Submit copy of Certificate of Disposition or Police Report.

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case (submit copy)

1b. **Use this schedule, "B"** to set forth details of any outstanding loans and/or such "changes" (other than arrests, etc.) which have not been reported to the Authority or having been reported, have not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).

Nature of Change	Date	Details

**NOTIFICATION RIDER TO RENEWAL APPLICATION**

**ON PREMISES LICENSEES ONLY MUST COMPLETE THIS SECTION**

**NOTICE TO MUNICIPALITY/COMMUNITY BOARD**

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested. You must keep the certified mail receipt for your records.

**CERTIFICATION RIDER TO APPLICATIONS**

I hereby certify that I have complied with the requirements of Section 64, subdivision 2a of the Alcoholic Beverage Control Law, and have sent notification of my renewal application to become licensed, by certified mail, return receipt requested to the Clerk of the (CIRCLE ONE) City, Town, Village of \_\_\_\_\_ OR, in New York City, the Clerk of Community Board # 5 Borough of MANHATTAN where the premises are located.

Fresco On Go

Trade Name

Address of Premises 40 EAST 52<sup>nd</sup> STREET, NEW YORK, NY 10022

Address of Premises

Maison Scott

New Serial Number 1027037

Date 2/12/07

NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.

You must keep the certified mail receipt for your records!

*[Signature]*

# EXCISE BOND UNDERWRITERS

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y.10038

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

LIQUOR

001--15

X-B12868--00

BOND EXPIRES IN

FEBRUARY, 2009

BOND NUMBER

Penal Sum of Bond

\$1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we,

Name of Applicant

STARJEM LLC  
FRESCO ON THE GO

Address of Place of Business

40 EAST 52ND STREET  
NEW YORK

NY 10022

In the county of NEW YORK State of NEW YORK as Principal, and GREAT AMERICAN INSURANCE COMPANY  
having an office and usual place of business at 5 DAKOTA DRIVE  
LAKE SUCCESS NY 00000

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 12 day of FEBRUARY,

2007

STARJEM LLC  
Principal  
X / Marion Scott  
BY:

L.S.

GREAT AMERICAN INSURANCE COMPANY

APPLICANT MUST SIGN HERE

John L. Conner  
Attorney-in-fact

(OVER)

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

CONDITIONS

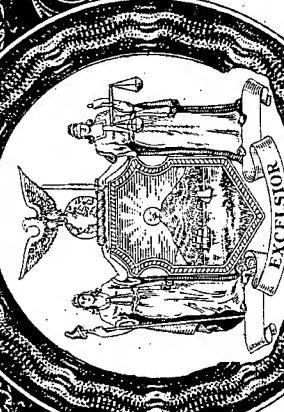
1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court or application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

ON-PREMISES LIQUOR LICENSE

2009-1 NEW OP 84160-252

LICENSE EFFECTIVE 03/01/2007

LICENSE EXPIRES 02/28/2009



# NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER-LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE, TO ANY OTHER PERSON, OR TO ANY OTHER PREMISES, OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES; IT SHALL NOT BE DEEMED A PROPERTY OWNED OR HELD AS AN INVESTMENT, AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

SERIAL

1027037

COUNTY

NEW YORK

CERTIFICATE NUMBER

718261

STARJEM LLC

FRESCO ON THE GO

40 E 52ND STREET

NEW YORK NY 10022

FILING FEE \$90.00  
LICENSE FEE \$4,352.00

Daniel B. Boyle

Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

Certificate No. G718261

SIA FORM 180-033 (11/99)

STATE OF NEW YORK - LIQUOR AUTHORITY  
Renewal Application (Directions for Completion enclosed)

License fee: 4,352.00  
Filing fee: 90.00  
Total fee due: 4,442.00

413976

New effective date: 03/01/2009  
New expiration date: 02/28/2011

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

RECEIVED FEB 24 2009

NEW SERIAL#: 1027037 OLD SERIAL#: 091NEWOP0008460252  
40 E 52ND STREET NEW YORK, NY 10022

(Premise address)

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

**SPECIAL MAILING REQUEST:** Complete if you want your license mailed to an address other than the licensed premises address:

APPROVED METHOD OF OPERATION

METHOD OF OPERATION:

DAYS/HOURS OF OPERATION:

ADDITIONAL INFORMATION:

ANY CHANGE TO THE APPROVED METHOD OF OPERATION MUST BE APPROVED BY THE AUTHORITY PRIOR TO IMPELEMTING SUCH CHANGE. CONTACT YOUR ZONE OFFICE TO OBTAIN THE APPROPRIATE FORM TO MAKE ANY CHANGES.

**ALL QUESTIONS MUST BE ANSWERED.**

Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.

1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority check "YES" and set forth details of changes in facts in the appropriate **schedules A and/or B** on the reverse side. If no changes in facts have occurred, check "NO".
2. State whether said licensed business presently is regularly kept open and operated by the licensee. If no, submit statement with explanation.
3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority.

YES  NO

2.

Not Applicable

3.

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

**THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER OF A PARTNERSHIP INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION.**

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Date \_\_\_\_\_  
(Print name of licensee(s))

(Signature of licensee(s)) (Home Address) (Home Telephone)

**THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION OR A CLUB CORPORATE OFFICER OR CLUB ALCOHOLIC BEVERAGE CONTROL (ABC) OFFICER COMPLETE THIS SECTION**

MARION SCOTTO

(Print Name of Corporate Officer)

certifies that he is PN LLC Marie

(Print Title of Corporate Officer)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Date 2/11/2009

(Signature of authorized officer)

350 EAST 52ND ST. NY, NY 10021 (212) 472-4466

(Home Address and Home Telephone)

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
(Renewal Application)

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**ADDRESS CHANGES OR CORRECTIONS:** Note if physical address of premises was changed by Post Office, City, Town, Village, 911 Emergency Systems, or 911 address reassignment, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed	Post office address of premises (If different)	
City, town or village - Zip Code	Telephone Number	City, town or village - Zip Code (If different)
Landlord Name		Landlord Address

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

**Use this schedule "A"** to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. Submit copy of Certificate of Disposition or Police Report.

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case (submit copy)

1b. **Use this schedule, "B"** to set forth details of any outstanding loans and/or such "changes" (other than arrests, or address changes) which have not been reported to the Authority or having been reported, have not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).

Nature of Change	Date	Details

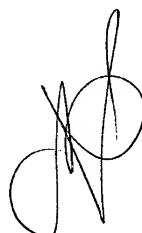
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**NOTICE TO MUNICIPALITY/COMMUNITY BOARD  
(ON-PREMISES LICENSEES ONLY)**

On Premises Licensees are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the clerk of the Village, Town or City wherein the premises are located, of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

**ACCEPTABLE FORMS OF PROOF (TO BE SUBMITTED WITH THE RENEWAL APPLICATION):**

A COPY OF THE LETTER SENT TO THE MUNICIPALITY/COMMUNITY BOARD AND EITHER THE ORIGINAL OR A COPY OF THE CERTIFIED MAIL RECEIPT CARD OR THE ORIGINAL OR A COPY OF THE LETTER SENT TO THE MUNICIPALITY/COMMUNITY BOARD DATE STAMPED AND SIGNED BY THE MUNICIPALITY/COMMUNITY BOARD SHOWING RECEIPT MUST BE SUBMITTED WITH THE RENEWAL APPLICATION.



# EXCISE BOND UNDERWRITERS

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y.10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

LIQUOR

BOND EXPIRES IN

BOND NUMBER

001--15

X-B12868--00

FEBRUARY, 2011

Penal Sum of Bond

1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we,

Name of Applicant

STARJEM LLC  
FRESCO ON THE GO

40 EAST 52ND STREET  
NEW YORK NY 10022

Address of Place of Business

In the county of **NEW YORK** State of NEW YORK as Principal, and  
having an office and usual place of business at

**GREAT AMERICAN INSURANCE COMPANY**  
**5 DAKOTA DRIVE**  
**LAKE SUCCESS NY 00000**

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 11 day of FEBRUARY

2009

STARJEM LLC

Principal

L.S.

BY:

Marion Scott

GREAT AMERICAN INSURANCE COMPANY

APPLICANT MUST SIGN HERE



John L. Comeau  
Attorney-in-fact

(OVER)

CONDITIONS

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

**ROBERT V. FERRARI**

ATTORNEY AT LAW

630 THIRD AVENUE, NEW YORK, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

E-MAIL: rvf@rvferrari.com

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RICHARD H. BYRNES

January 20, 2009

Community Board No. 5  
450 Seventh Avenue, Room 2109  
New York, New York 10123

Re: Stargem LLC  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,

  
Robert V. Ferrari

Enclosure

Via Certified Mail/  
Return Receipt Requested

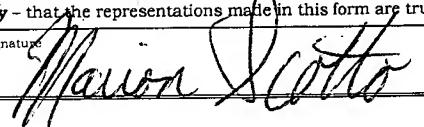


STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY

Standardized RENEWAL APPLICATION NOTICE FORM for Providing a

30-Day Advance Notice to a Local Municipality or Community Board

in connection with the submission to the State Liquor Authority of a  
Renewal Application for an On-Premises Alcoholic Beverage License

1.	Date the Original copy of this Notice was Mailed to the Local Municipality or Community Board:					Month <b>01</b>	Month <b>20</b>	Day <b>20</b>	Day <b>09</b>	Year <b>2009</b>	Year <b>09</b>		
THIS 30-DAY ADVANCE NOTICE IS BEING MAILED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD													
2.	Name of the Local Municipality or Community Board: <b>Community Board No. 5</b>												
3.	Street Address of Local Municipality or Community Board: <b>450 Seventh Avenue, Suite 2109</b>												
4.	City, Town, or Village: <b>New York</b>					NY	Zip Code: <b>10123</b>						
5.	Telephone Number of Clerk of Local Municipality or Community Board: <b>212-465-0907</b>												
ATTORNEY FOR THE LICENSE HOLDER SUBMITTING THE RENEWAL APPLICATION													
6.	Attorney's Full Name is: <b>Robert V. Ferrari</b>												
7.	Attorney's Street Address: <b>630 Third Avenue, 16th Floor</b>												
8.	City, Town, or Village: <b>New York</b>					NY	Zip Code: <b>10017</b>						
9.	Business Telephone Number of Attorney: <b>212-972-7040</b>												
CURRENT LICENSE HOLDER WHO/THAT WILL SUBMIT THE RENEWAL APPLICATION TO THE STATE LIQUOR AUTHORITY													
10.	Type(s) of Alcohol sold under the License (*X* one): <input type="checkbox"/> Beer Only <input type="checkbox"/> Wine and Beer Only <input checked="" type="checkbox"/> Liquor, Wine, and Beer												
11.	Extent of Food Service: (*X* one)	<input checked="" type="checkbox"/> Restaurant (Sale of Food Primarily; Full Food Menu; Kitchen run by Chef)	<input type="checkbox"/> Tavern-Restaurant (A mixed-use establishment that has both a sit-down dining area and a "stand-up" bar where patrons may receive direct deliveries of alcohol)	<input type="checkbox"/> Tavern / Cocktail Lounge / Adult Venue / Bar (Alcohol sales primarily - meets legal minimum food availability requirements)									
12.	Type of Establishment: (*X* all that apply)	<input type="checkbox"/> Hotel <input type="checkbox"/> Live Music <input type="checkbox"/> Disk Jockey <input type="checkbox"/> Juke Box <input type="checkbox"/> Patron Dancing (Small Scale) <input type="checkbox"/> Cabaret, Night Club, Discotheque <input type="checkbox"/> Capacity for 600 or more patrons	<input type="checkbox"/> Club (e.g. Golf / Fraternal Org.) <input type="checkbox"/> Bed & Breakfast <input type="checkbox"/> Catering Facility <input type="checkbox"/> Stage Shows <input type="checkbox"/> Topless Entertainment <input type="checkbox"/> Other (Specify):										
13.	Licensed Outdoor Area:	<input type="checkbox"/> None <input type="checkbox"/> Rooftop <input type="checkbox"/> Patio or Deck <input type="checkbox"/> Freestanding Covered Structure <input type="checkbox"/> Garden / Grounds <input type="checkbox"/> Other (Specify):											
14.	Days and Hours of Operation (Complete all; circle AM or PM)	Monday <b>6:00 AM</b> <input type="radio"/> PM <input type="checkbox"/> TO <input type="radio"/> <b>8:00 AM</b> <input type="radio"/> PM	Tuesday <b>6:00 AM</b> <input type="radio"/> PM <input type="checkbox"/> TO <input type="radio"/> <b>8:00 AM</b> <input type="radio"/> PM	Wednesday <b>6:00 AM</b> <input type="radio"/> PM <input type="checkbox"/> TO <input type="radio"/> <b>8:00 AM</b> <input type="radio"/> PM	Thursday <b>6:00 AM</b> <input type="radio"/> PM <input type="checkbox"/> TO <input type="radio"/> <b>8:00 AM</b> <input type="radio"/> PM	Friday <b>6:00 AM</b> <input type="radio"/> PM <input type="checkbox"/> TO <input type="radio"/> <b>8:00 AM</b> <input type="radio"/> PM	Saturday <b>1:00 AM</b> <input type="radio"/> PM <input type="checkbox"/> TO <input type="radio"/> <b>11:00 AM</b> <input type="radio"/> PM	Sunday <b>:00 AM</b> <input type="radio"/> PM <input type="checkbox"/> TO <input type="radio"/> <b>:00 AM</b> <input type="radio"/> PM					
15.	Will the License Holder or a Manager be physically present within the establishment during All Hours of Operation? (*X* one):					<input type="checkbox"/> YES <input type="checkbox"/> NO							
16.	License Serial Number: <b>1027037</b>	17.	Expiration Date: Month <b>02</b> Month <b>28</b> Day <b>20</b> Year <b>2009</b>										
18.	The License Holder's Full Name, as it appears on the Alcoholic Beverage License Certificate, is: <b>Stargem LLC</b>												
19.	The Full Name of the Establishment (the Trade Name under which the Licensed Establishment conducts business) is: <b>Fresco On The Go</b>												
20.	The Licensed Establishment is located within the building which has the following street address: <b>40 East 52nd Street</b>												
21.	City, Town, or Village: <b>New York</b>					NY	Zip Code: <b>10022</b>						
22.	The Licensed Establishment is located on the following floor(s) of the building at the above address: <b>First floor</b>												
23.	Within the building at the above address, the Licensed Establishment is located within the room(s) numbered as follows:												
24.	Business Telephone Number of Current License Holder: <b>212-754-1661</b>												
25.	Does the License Holder own the building in which the Licensed Establishment is located? (*X* one)	<input type="checkbox"/> Yes			If "YES", SKIP items No. 26-29. Complete the 3 entries at Item No. 30.			<input type="checkbox"/> No			If "NO", ANSWER items No. 26-29, and complete the 3 entries at Item No. 30.		
OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED													
26.	Building Owner's Full Name is: <b>40 Eastco</b>												
27.	Building Owner's Street Address: <b>40 East 52nd Street</b>												
28.	City, Town, or Village: <b>New York</b>					NY	Zip Code: <b>10022</b>						
29.	Business Telephone Number of Building Owner: <b>212-407-2400</b>												
30.	I hold the License or am a Principal of the Legal Entity that holds the License. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the existing license. I understand that representations made in this form will also be relied upon, and that false representations may result in revocation of the license. By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.												
Printed Name <b>Marion Scotto</b>				Title <b>Member</b>				Signature 					



## STATE OF NEW YORK

### NOTICE OF APPEARANCE

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

Agency: State Liquor Authority Date: February 19, 2009

Division/Bureau: Licensing/Renewals

1. Name of individual appearing: Robert V. Ferrari

Address: 630 Third Avenue, 16th Floor, New York, New York 10017

Telephone: (212) 972-7040

2. Client represented: Starjem LLC

Address: 40 East 52nd Street, New York, New York 10022

Telephone: (212) 754-1661

3. Subject of appearance: ✓ Regulatory/Enforcement Lobbying  
Filing renewal application

4. Acting in capacity of:

✓ Attorney        Lobbyist  
       Agent        Other (describe) \_\_\_\_\_

5. Are you being compensated? ✓ Yes        No If Yes: ✓ Fee        Salary

6. Signature of individual appearing: \_\_\_\_\_

7. Agency official (print name): R. V. Ferrari

Signature: [Signature]

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates or legislation, including the State budget. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

**U.S. Postal Service™**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

7	0	0	0	0	0	3	3	2	8	8	7
<b>Postage</b> \$ .42											
<b>Certified Fee</b> 2.70											
<b>Return Receipt Fee (Endorsement Required)</b> 2.20											
<b>Restricted Delivery Fee (Endorsement Required)</b>											
<b>Total Postage &amp; Fees</b> \$ 5.32											

**Sent To**  
**COMMUNITY BOARD NO. 5**  
Street, Apt. No.,  
or PO Box No. 450 SEVENTH AVENUE, ROOM 2109  
City, State, ZIP+ NEW YORK, NEW YORK 10123

PS Form 3800, August 2006      See Reverse for Instructions

ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK



EFFECTIVE DATE: 03/02/2009  
EXPIRATION DATE: 02/28/2011  
CERTIFICATE #: 782691

## NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

### METHOD OF OPERATION

RESTAURANT SERVING BEER WINE AND LIQUOR

FILING FEE	\$90.00
LICENSE FEE	\$4,352.00

Daniel B. Boyle  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-030 (11/89)

Certificate No. G782691

FOLD AND TEAR HERE

FOLD AND TEAR HERE

-71

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
Renewal Application (Directions for Completion enclosed)

License fee:	4,352.00	<b>520825</b>  <b>RECEIVED FEB 08 2011</b>	<b>SPECIAL MAILING REQUEST:</b> Complete if you want your license mailed to an address other than the licensed premises address:
Filing fee:	90.00		
Total fee due:	4,442.00		

New effective date: 03/01/2011  
New expiration date: 02/28/2013

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

NEW SERIAL#: 1027037 OLD SERIAL#: 111NEWOP0008460252  
40 E 52ND STREET NEW YORK, NY 10022

(Premise address)

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

115

**APPROVED METHOD OF OPERATION**

**METHOD OF OPERATION:**

**DAYS/HOURS OF OPERATION:**

**ADDITIONAL INFORMATION:**

**ANY CHANGE TO THE APPROVED METHOD OF OPERATION MUST BE APPROVED BY THE AUTHORITY PRIOR TO IMPELEMTING SUCH CHANGE. CONTACT YOUR ZONE OFFICE TO OBTAIN THE APPROPRIATE FORM TO MAKE ANY CHANGES.**

**ALL QUESTIONS MUST BE ANSWERED.**

*Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.*

1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority check "YES" and set forth details of changes in facts in the appropriate <b>schedules A and/or B</b> on the reverse side. If no changes in facts have occurred, check "NO".	YES      NO
2. State whether said licensed business presently is regularly kept open and operated by the licensee. If no, submit statement with explanation.	1. <input type="checkbox"/> <input checked="" type="checkbox"/>
3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority.	2. <input checked="" type="checkbox"/> <input type="checkbox"/> Not Applicable
4. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority.	3. <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

**THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of A PARTNERSHIP INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION.**

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

(Print name of licensee(s)) \_\_\_\_\_ Date \_\_\_\_\_

(Signature of licensee(s)) \_\_\_\_\_ (Home Address) \_\_\_\_\_ (Home Telephone) \_\_\_\_\_

**THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION OR A CLUB CORPORATE OFFICER OR CLUB ALCOHOLIC BEVERAGE CONTROL (ABC) OFFICER COMPLETE THIS SECTION**

MARION SCOTTO certifies that he is AN LLC. MANAGER

(Print Name of Corporate Officer) \_\_\_\_\_ (Print Title of Corporate Officer) \_\_\_\_\_  
of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Mariot Scotto  
(Signature of authorized officer) \_\_\_\_\_ Date \_\_\_\_\_ February 3, 2011  
350 EAST 72<sup>ND</sup> STREET, NEW YORK, NY 10021  
(Home Address and Home Telephone) (212) 472-4466

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
(Renewal Application)

**ADDRESS CHANGES OR CORRECTIONS:** Note if physical address of premises was changed by Post Office, City, Town, Village, 911 Emergency Systems, or 911 address reassignment, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed	Post office address of premises (if different)
City, town or village - Zip/Code	Telephone Number
Landlord Name	Landlord Address

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

**Use this schedule "A"** to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. Submit copy of Certificate of Disposition or Police Report.

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case (submit copy)

1b. **Use this schedule, "B"** to set forth details of any outstanding loans and/or such "changes" (other than arrests, or address changes) which have not been reported to the Authority or having been reported, have not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).

Nature of Change	Date	Details

**NOTICE TO MUNICIPALITY/COMMUNITY BOARD  
(ON-PREMISES LICENSEES ONLY)**

On Premises Licensees are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the clerk of the Village, Town or City wherein the premises are located, of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

**YOU MUST SUBMIT THE NOTICE PROVIDED WITH THIS RENEWAL PACKET TO THE COMMUNITY BOARD OR MUNICIPALITY AND SUBMIT SAME TO THIS OFFICE ALONG WITH THE ORIGINAL OR A COPY OF THE CERTIFIED MAIL CARD OR RECEIPT.**

Bond Form L-9 Prescribed by the  
New York State Liquor Authority  
June 3, 1974

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

Application Number	Bond Number	This bond expires in	Penal Sum of Bond
		2013	\$ 1000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we

Name of Applicant	Starjem LLC DBA Fresco On The Go	Address of Place of Business of 40 East 52nd Street, New York
-------------------	----------------------------------	--

in the county of New York, State of New York 10022, as Principal, and

Name of Insurance Company	Address of Office or usual Place of Business 101 South Phillips Avenue Sioux Falls, SD 57104
WESTERN SURETY COMPANY	

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect: subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this  
21st day of January, 2011.

Name of issuing agency Global Coverage, Inc.

Address New York, NY 10016-2897

Phone # (212) 683-2622

Starjem LLC DBA Fresco On The Go L. S.  
Principal (Applicant/Licensee)

BY: Marion Scotto

Western Surety Company L. S.

BY: Paul T. Bruflat L. S.  
Paul T. Bruflat, Senior Vice President



STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY

Standardized RENEWAL APPLICATION NOTICE FORM for Providing a  
30-Day Advance Notice to a Local Municipality or Community Board  
in connection with the submission to the State Liquor Authority of a  
Renewal Application for an On-Premises Alcoholic Beverage License

1.	Date the Original copy of this Notice was Mailed to the Local Municipality or Community Board:	0	1	0	5	2	0	1	1					
THIS 30-DAY ADVANCE NOTICE IS BEING MAILED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD														
2.	Name of the Local Municipality or Community Board:	Manhattan Community Board No. 5												
3.	Street Address of Local Municipality or Community Board:	450 Seventh Avenue, Suite 2109												
4.	City, Town, or Village:	New York				NY	Zip Code: 10123							
5.	Telephone Number of Clerk of Local Municipality or Community Board:	2	1	2	-	4	6	5	-	0	9	0	7	
ATTORNEY FOR THE LICENSE HOLDER SUBMITTING THE RENEWAL APPLICATION														
6.	Attorney's Full Name is:	Robert V. Ferrari												
7.	Attorney's Street Address:	630 Third Avenue, 16th Floor												
8.	City, Town, or Village:	New York				NY	Zip Code: 10017							
9.	Business Telephone Number of Attorney:	2	1	2	-	9	7	2	-	7	0	4	0	
CURRENT LICENSE HOLDER WHO/THAT WILL SUBMIT THE RENEWAL APPLICATION TO THE STATE LIQUOR AUTHORITY														
10.	Type(s) of Alcohol sold under the License ("X" one):	<input type="checkbox"/> Beer Only	<input type="checkbox"/> Wine and Beer Only	<input checked="" type="checkbox"/> Liquor, Wine, and Beer										
11.	Extent of Food Service: ("X" one)	<input checked="" type="checkbox"/> Restaurant (Sale of Food Primarily; Full Food Menu; Kitchen run by Chef)	<input type="checkbox"/> Tavern-Restaurant (A mixed-use establishment that has both a sit-down dining area and a "stand-up" bar where patrons may receive direct deliveries of alcohol)	<input type="checkbox"/> Tavern / Cocktail Lounge / Adult Venue / Bar (Alcohol sales primarily - meets legal minimum food availability requirements)										
12.	Type of Establishment: ("X" all that apply)	<input type="checkbox"/> Hotel	<input type="checkbox"/> Live Music	<input type="checkbox"/> Disk Jockey	<input type="checkbox"/> Juke Box	<input type="checkbox"/> Patron Dancing (Small Scale)	<input type="checkbox"/> Cabaret, Night Club, Discotheque (Large Scale Dance Club)	<input type="checkbox"/> Capacity for 600 or more patrons						
		<input type="checkbox"/> Club (e.g. Golf / Fraternal Org.)	<input type="checkbox"/> Bed & Breakfast	<input type="checkbox"/> Catering Facility	<input type="checkbox"/> Stage Shows	<input type="checkbox"/> Topless Entertainment	<input type="checkbox"/> Other (Specify):							
13.	Licensed Outdoor Area:	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Rooftop	<input type="checkbox"/> Patio or Deck	<input type="checkbox"/> Freestanding Covered Structure	<input type="checkbox"/> Garden / Grounds	<input type="checkbox"/> Other (Specify):							
14.	Will the License Holder or a Manager be physically present within the establishment during All Hours of Operation? ("X" one):	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO										
15.	Licence Serial Number:	1027037	16.	Expiration Date:	0	2	2	8	2	0	1	1		
17.	The License Holder's Full Name, as it appears on the Alcoholic Beverage License Certificate, is:	Starjem LLC												
18.	The Full Name of the Establishment (the Trade Name under which the Licensed Establishment conducts business) is:	Fresco On The Go												
19.	The Licensed Establishment is located within the building which has the following street address:	40 East 52nd Street												
20.	City, Town, or Village:	New York				NY	Zip Code: 10022							
21.	The Licensed Establishment is located on the following floor(s) of the building at the above address:	First floor												
22.	Within the building at the above address, the Licensed Establishment is located within the room(s) numbered as follows:	Not applicable												
23.	Business Telephone Number of Current License Holder:	2	1	2	-	7	5	4	-	1	6	6	1	
24.	Business Fax Number of Current License Holder:													
25.	Business E-Mail Address of Current License Holder:													
26.	Does the License Holder own the building in which the Licensed Establishment is located? ("X" one)	<input type="checkbox"/> Yes		If "YES", SKIP items No. 27-30. Complete the 3 entries at Item No. 31.		<input type="checkbox"/> If "NO", ANSWER items No. 27-30, and complete the 3 entries at Item No. 31.								
OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED														
27.	Building Owner's Full Name is:	40 Eastco												
28.	Building Owner's Street Address:	40 East 52nd Street												
29.	City, Town, or Village:	New York				NY	Zip Code: 10022							
30.	Business Telephone Number of Building Owner:	2	1	2	-	4	0	7	-	2	4	0	0	
31.	I hold the License or am a Principal of the Legal Entity that holds the License. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the existing license. I understand that representations made in this form will also be relied upon, and that false representations may result in revocation of the license. By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.													
	Printed Name	Title		Signature										
	Marion Scotto	LLC Manager		X Marion Scotto										



<input type="radio"/> Original	<input checked="" type="radio"/> Amended	Date _____
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**STATE OF NEW YORK****NOTICE OF APPEARANCE**

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

**Agency:** State Liquor Authority**Date:** February 3, 2011**Division/Bureau:** Renewals**1. Name of individual appearing:** Robert V. Ferrari**Address:** 630 Third Avenue, 16th Floor, New York, New York 10017**Telephone:** (212) 972-7040**2. Client represented:** Starjem LLC d/b/a Fresco On The Go**Address:** 40 East 52nd Street, New York, New York 10022**Telephone:** (212) 754-1661**3. Subject of appearance:**  Regulatory/Enforcement  Lobbying

Filing renewal application of on-premises liquor license.

**4. Acting in capacity of:**

Attorney  Lobbyist  Agent  
 Other (describe) \_\_\_\_\_

**5. Are you being compensated?**  Yes  NoIf YES, Check FEE or SALARY  FEE  SALARY**6. Signature of individual appearing:****7. Agency official (print name):****Signature:** \_\_\_\_\_

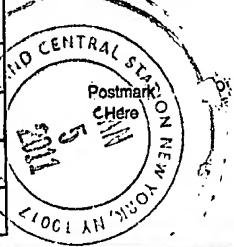
\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

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For delivery information visit our website at [www.usps.com](http://www.usps.com)®

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Postage	\$ .44
Certified Fee	.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Sent To  
**COMMUNITY BOARD NO. 5**

Street, Apt. No.;  
or PO Box No. 450 SEVENTH AVENUE, ROOM 2109  
City, State, ZIP+4  
**NEW YORK, NEW YORK 10123**

PS Form 3800, August 2006

See Reverse for Instructions

**ROBERT V. FERRARI**

ATTORNEY AT LAW

630 THIRD AVENUE, NEW YORK, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

E-MAIL: rvf@rvferrari.com

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RICHARD H. BYRNES

January 5, 2011

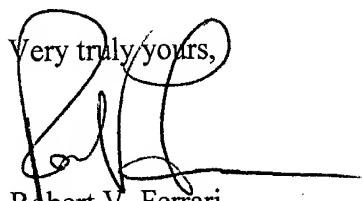
Community Board No. 5  
450 Seventh Avenue, Room 2109  
New York, New York 10123

Re: Starjem LLC  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

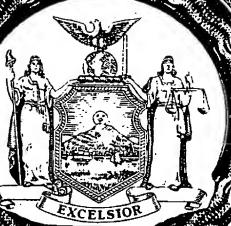
Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,  
  
Robert V. Ferrari

Enclosure

Via Certified Mail/  
Return Receipt Requested



ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK

EFFECTIVE DATE: 02/12/2011  
EXPIRATION DATE: 02/28/2013  
CERTIFICATE #: 792609

## NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

METHOD OF OPERATION  
RESTAURANT SERVING BEER WINE AND LIQUOR

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE \$90.00  
LICENSE FEE \$4,352.00

  
Dennis Rosen

Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No. B792609

FOLD AND TEAR HERE

FOLD AND TEAR HERE

*NDA***RENEWAL ADVISORY**, **RECEIVED JAN 29 2013****Serial #: 1027037****Key: 131NEWOP0008460252****605197**

<b>License fee:</b>	<b>4,352.00</b>
<b>Filing fee:</b>	<b>90.00</b>
<b>Total fee due:</b>	<b>4,442.00</b>

<b>New effective date:</b>	<b>03/01/2013</b>
<b>New expiration date:</b>	<b>02/28/2015</b>

**Premises Address:**

**STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022**

*1/3*

*This letter is to notify you that your current license is due to expire on 02/28/2013.  
The renewal procedures have changed so please review all forms / instructions carefully.*

**THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.**

*The renewal application form can be found on the Authority's website at  
[www.sla.ny.gov/renewals](http://www.sla.ny.gov/renewals)*

**You must complete the renewal application and return it with this renewal advisory to the address below:**

**M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267**

**You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.**

**The required Community Board / Municipality notice form for on-premises licensees is also available on our website. You must notify the Community Board / Municipality at least 30 days prior to sending the renewal forms to the Authority.**

**NOTE: Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.**

**FOR RENEWAL INFORMATION VISIT OUR WEBSITE AT:**

**WWW.SLA.NY.GOV/RENEWALS**

If Undeliverable Return To:

NYS Liquor Authority  
80 S. Swan St., Suite 900  
Albany, NY 12210

**STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022**

**RENEWAL ADVISORY**

**RETAIL-RENEWAL****RENEWAL APPLICATION / INSTRUCTION FORM**

**The Renewal Advisory previously mailed to you must be submitted with this Renewal Application**

**PLEASE ALLOW TEN(10) BUSINESS DAYS FOR PROCESSING. BE ADVISED THAT ANY DEFICIENCY IN THE APPLICATION OR FAILURE TO PROVIDE ALL SUPPORTING DOCUMENTATION WILL DELAY THE PROCESSING OF YOUR RENEWAL OR MAY LEAD TO THE DISAPPROVAL OF YOUR RENEWAL.**

Documents to include with your renewal application:

1. Completed Renewal Application form and Renewal Advisory;
2. Personal, business, bank check or money order in the total amount due as listed on the invitation to renew.  
Write your license serial number on the check. Submit a check or money order with the Renewal Application.  
Make check or money order payable to New York State Liquor Authority.
3. Original surety bond in the appropriate amount; **SIGNED BY THE LICENSEE**; and with the expiration of the bond  
being the same as the license expiration date on the Renewal Advisory previously mailed to you. **The bond must have the premises name and address typed exactly as it appears on your license certificate;**
4. Notice of appearance if an attorney or representative assisted in completing this renewal application.

**FOR NEW YORK CITY LICENSEES ONLY**

5. Renewal Application Notice Form as required by Section 109 Subdivision 2 of the ABC Law;
  - 5a. Proof of 30-day notice to the Community Board which consists of:
    - a. A copy of the certified mail receipt or a copy of the certified mail card - return receipt requested; or
    - b. A copy of the delivery receipt from a commercially recognized delivery service; or
    - c. A copy of the renewal application notice form date-stamped by the Community Board.

**If there have been any changes to the principals of the license, any physical changes to the establishment or changes to the approved method of operation you must file the appropriate change application that can be found on our website at: [www.sla.ny.gov](http://www.sla.ny.gov). You must receive approval from the Authority before making any such changes.**

The completed application and any supporting information, including the Renewal Advisory,  
should be mailed to our bank lockbox address of:

**M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267**

# RETAIL-RENEWAL

**Please complete all of the fields provided in the form. If the Trade Name has changed since the last renewal filing you must also include a filing receipt or a certificate of assumed name with the renewal application. Other changes noted on the renewal application do not constitute proper notification to the Authority, nor does the approval of the renewal application constitute approval of any changes listed in the renewal, other than the Trade Name change.**

## 1. Licensed Premises Information

Is your licensed premises closed?       YES  NO

If yes, is your license in safekeeping with the New York State Liquor Authority?       YES  NO

Licensed Premises Name:  License Serial #:

Trade Name (if applicable):  Effective Date:

Federal Employer Identification Number:  Expiration Date:

If you hold an on-premises license, please select the method of operation from the following list:

Bar/Tavern       Cabaret       Cafe       Catering Establishment  
 Club (i.e., Fraternal Org)       Hotel       Night Club       Pizzeria       Restaurant

Please list any condition(s) or stipulation(s) associated with your current license that were agreed to with the local Municipality/Community Board or placed on your license by the Authority. Attach additional sheets if necessary.

None

## Address of the Licensed Premises

### **ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL**

If your address has been changed as a result of a 911 change, please provide proof of the change such as notification of the 911 address change from the local Municipality/Community Board or notification from the Post Office.

Licensed Premises Address:

City:  State:  Zip Code:

County:  Email Address:

Premises Telephone # (include area code):  Contact Phone # (include area code):

## Mailing Address (if different than premises address)

Mailing Address:

City:  State:  Zip Code:

## Landlord/Building Owner Name and Address - also required if building is owned by the licensee

Landlord Name:

Address:

City:  State:  Zip Code:

**RETAIL-RENEWAL****2. Arrest/Conviction Information**

Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been ARRESTED and/or CONVICTED during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations?     YES     NO     Previously Reported

If YES, complete the chart below and where applicable, submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If necessary, attach additional sheets.

Name of the Defendant	Connection with Licensed Premise (licensee, officer)	Date of Offense	Nature of the arrest and/or conviction	Disposition

**3. Applicant Information and Certification**

*The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions.*

**A. Sole Proprietor (This section must be completed, signed and dated by the sole proprietor.)**

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State:	Zip Code:
Telephone # (include area code):		Cell Phone # (include area code):
Signature		Title
		Date

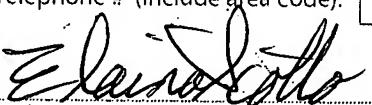
**B. Partnership (This section must be completed, signed and dated by each partner.)**

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State:	Zip Code:
Telephone # (include area code):		Cell Phone # (include area code):
Partner Signature		Title
		Date

**RETAIL-RENEWAL****B. Partnership (Continued -attach additional sheets if necessary)**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address: <input type="text"/>					
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Telephone # (include area code): <input type="text"/>		Cell Phone # (include area code): <input type="text"/>			
Partner Signature		Title		Date	

**C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer.  
This principal should be the primary point of contact.)**

Print Name:	<input type="text"/> Elaina Scotto	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address: <input type="text"/>					
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	<input type="text"/> LLC Member				
Telephone # (include area code): <input type="text"/>		Cell Phone # (include area code): <input type="text"/>			
		Title		Date	

**All remaining Principals on the license must be listed below.***(Attach additional sheets as needed to include all principals)*

Print Name:	<input type="text"/> Marion Scotto	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address: <input type="text"/>					
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	<input type="text"/> LLC Member				
Telephone # (include area code): <input type="text"/>		Cell Phone # (include area code): <input type="text"/>			

Print Name:	<input type="text"/> Anthony Scotto, Jr	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address: <input type="text"/>					
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	<input type="text"/> LLC Member				
Telephone # (include area code): <input type="text"/>		Cell Phone # (include area code): <input type="text"/>			

**RETAIL-RENEWAL****List of other principals continued (Attach additional pages as needed to include all principals)**

Print Name:	Rosanna Scotto	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address:	[REDACTED]				
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	LLC Member				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			
Print Name:	[REDACTED]	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address:	[REDACTED]				
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	[REDACTED]				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

**D. Club (This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority.)**

Print Name:	[REDACTED]	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address:	[REDACTED]				
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	[REDACTED]				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			
Authorized Signature		Title		Date	

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

Application Number	Bond Number [REDACTED]	This bond expires in 2015	Penal Sum of Bond \$1,000.00 Plus Costs
KNOW ALL MEN BY THESE PRESENTS, that we			
Name of Applicant	Address of Place of Business		
Starjem LLC dba Fresco On The Go	of 40 East 52nd Street, New York		
in the county of New York	, State of NEW YORK 10022, as Principal, and		
Name of Insurance Company WESTERN SURETY COMPANY	Address of Office or usual Place of Business P.O. Box 5077 Sioux Falls, SD 57117-5077		

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect: subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive and renounce upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive the objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety. It shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. A bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety, if the surety is a written or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this  
31 day of January 2013 9 E. 37TH ST., 4TH FLOOR, NEW

Name of issuing agency GLOBAL COVERAGE, INC. Address YORK, NY 10016-2897

Phone # (212)683-2622

Starjem LLC dba Fresco On The Go L.S. WESTERN SURETY COMPANY  
Principal (Applicant/Licensee) Surety

BY: *Alainas Cott* BY: *Paul T. Bruflat* L.S.  
Paul T. Bruflat, Senior Vice President

**ROBERT V. FERRARI**

ATTORNEY AT LAW

630 THIRD AVENUE, NEW YORK, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

E-MAIL: rvf@rvferrari.com

RICHARD H. BYRNES

January 3, 2013

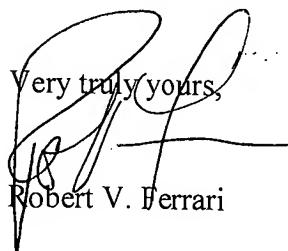
Manhattan Community Board No. 5  
450 Seventh Avenue, Suite 2109  
New York, New York 10123

Re: Starjem LLC  
d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

  
Very truly yours,  
Robert V. Ferrari

Enclosure

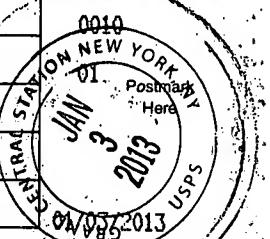
Via Certified Mail/  
Return Receipt Requested

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

NEW YORK NY 10123

Postage	\$ .45	0010	
Certified Fee	2.95	01 JAN 3 2013	
Return Receipt Fee (Endorsement Required)	\$2.95	MAIL STATION NEW YORK	
Restricted Delivery Fee (Endorsement Required)	2.35	Postmark Here	
Total Postage & Fees	\$ 5.75		

Sent To: **MANHATTAN COMMUNITY BOARD NO. 5**  
Street, Apt. No.: **450 SEVENTH AVENUE, SUITE 8109**  
or PO Box No.  
City, State, ZIP+4: **NEW YORK, NEW YORK 10123**

PS Form 3800, August 2006

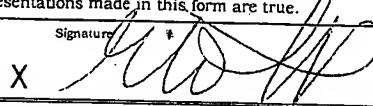
See Reverse for Instructions

STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY

Standardized NOTICE FORM for Providing a 30-Day Advance Notice to a Local Municipality or

Community Board in connection with the submission to the State Liquor Authority of a (check one)

New Application  Renewal Application  Alteration Application  
 Corporate Change for an On-Premises Alcoholic Beverage License

1.	Date the original copy of this Notice was mailed to the Local Municipality or Community Board:	Month: 01	Month: 03	Day: 20	Year: 13
THIS 30-DAY ADVANCE NOTICE IS BEING PROVIDED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD					
2.	Name of the Local Municipality or Community Board:	Manhattan Community Board No. 5			
ATTORNEY REPRESENTING THE APPLICANT IN CONNECTION WITH THE APPLICANT'S LICENSE APPLICATION NOTED AS ABOVE FOR THE ESTABLISHMENT IDENTIFIED IN THIS NOTICE					
3.	Attorney's Full Name is:	Robert V. Ferrari			
4.	Attorney's Street Address:	630 Third Avenue, 16th Floor			
5.	City, Town or Village:	New York	State: New York	Zip Code: 10017	
6.	Business Telephone Number of Attorney:	(212) 972-7040			
<p>FOR NEW APPLICANTS, PROVIDE DESCRIPTION BELOW USING ALL INFORMATION KNOWN TO DATE          FOR ALTERATION APPLICANTS, ATTACH COMPLETE DESCRIPTION AND DIAGRAM OF PROPOSED ALTERATION(S)          FOR CURRENT LICENSEES, SET FORTH APPROVED METHOD OF OPERATION ONLY          DO NOT USE THIS FORM TO CHANGE YOUR METHOD OF OPERATION</p>					
7.	Type(s) of alcohol sold or to be sold under the license: ("X" One)	<input type="checkbox"/>	Beer Only	<input type="checkbox"/>	Wine and Beer Only <input checked="" type="checkbox"/> Liquor, Wine and Beer
8.	Extent of Food Service: ("X" One)	<input checked="" type="checkbox"/>	Restaurant (Sale of food primarily; Full food menu; Kitchen run by chef)	<input type="checkbox"/>	Tavern/Cocktail Lounge/Adult Venue/Bar (Alcohol sales primarily-meets legal minimum food availability requirements)
9.	Type of establishment: ("X" all that apply)	<input type="checkbox"/>	Hotel <input type="checkbox"/> Live Music <input type="checkbox"/> Disc Jockey <input type="checkbox"/> Juke Box <input type="checkbox"/> Patron Dancing (Small scale) <input type="checkbox"/> Karaoke Bar	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	Cabaret, Night Club, (Large Scale Dance Club) <input type="checkbox"/> Capacity for 600 or more patrons <input type="checkbox"/> Bed & Breakfast <input checked="" type="checkbox"/> Restaurant	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	Club (e.g. Golf/ Fraternal Org.) <input type="checkbox"/> Catering Facility <input type="checkbox"/> Stage Shows <input type="checkbox"/> Topless Entertainment <input type="checkbox"/> Recreational Facility (Sports Facility/Vessel)	<input type="checkbox"/>	<input type="checkbox"/>
10.	Licensed outdoor area: ("X" all that apply)	<input checked="" type="checkbox"/>	None <input type="checkbox"/> Rooftop <input type="checkbox"/> Patio or Deck <input type="checkbox"/> Freestanding Covered Structure <input type="checkbox"/> Garden/Grounds	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	Sidewalk Café <input type="checkbox"/> Other (Specify): None	<input type="checkbox"/>	<input type="checkbox"/>
11.	Will the license holder or a manager be physically present within the establishment during all hours of operation? ("X" one)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
12.	License serial number: 1027037	Expiration Date: 02/28/2013			
13.	The applicant's or license holder's full name, as it appears or will appear on the license:	Starjem LLC			
14.	The Trade name, if any, under which the establishment conducts or will conduct business:	Fresco On The Go			
15.	The establishment is located within the building which has the following street address:	40 East 52nd Street			
16.	City, Town, or Village:	New York	NY	Zip Code: 10022	
17.	The establishment is located on the following floor(s) of the building at the above address:	First Floor			
18.	Within the building at the above address, the establishment is located within the room(s) numbered as follows:	Not applicable			
19.	Business telephone number of applicant/licensee:	(212) 754-2700	Business fax number of applicant/licensee: (212) 754-1661		
20.	Business e-mail address of applicant/licensee:	elaina@frescobyscotto.com			
21.	Does the applicant or license holder own the building in which the establishment is located? ("X" one)	<input type="checkbox"/>	Yes (If "Yes", SKIP Items 22-25) <input checked="" type="checkbox"/> No		
OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED					
22.	Building owner's full name is:	40 East 52nd Street L.P.			
23.	Building owner's street address:	345 Park Avenue			
24.	City, Town, or Village:	New York	NY	Zip Code: 10154	
25.	Business telephone number of building owner:	2 1 2 - 8 9 1 - 9 1 0 0			
26.	I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.				
	By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.				
Printed Name		Title	Signature *		
Elaina Scotto		Authorized Person			

ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK



EFFECTIVE DATE: 02/07/2013  
EXPIRATION DATE: 02/28/2015  
CERTIFICATE #: 819364

## NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES, OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES; IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

### METHOD OF OPERATION

RESTAURANT SERVING BEER WINE AND LIQUOR

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE	\$90.00
LICENSE FEE	\$4,352.00

Dennis Rosen  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No. B819364

FOLD AND TEAR HERE

FOLD AND TEAR HERE

1-14-15 NOA

## RENEWAL ADVISORY RECEIVED JAN 30 2015

Serial #: 1027037

NEW / OP / 252

New Effective Date: 03/01/2015

New Expiration Date: 02/28/2017

License Fee: \$4,352.00

Filing Fee: \$90.00

671819

Premises Address:

STARJEM LLC  
40 E 52ND STREET  
NEW YORK, NY 10022

**TOTAL FEE DUE: \$4,442.00**

*This letter is to notify you that your current license is due to expire on 02/28/2015. The renewal procedures have changed so please review all forms / instructions carefully.*

**THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.**

*The renewal application form can be found on the Authority's website at [www.sla.ny.gov/renewals](http://www.sla.ny.gov/renewals)*

*You must complete the renewal application and return it with this renewal advisory to the address below:*

M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267

**You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.**

The required Community Board notice form for New York City on-premises licensees is also available on our website. You must notify the Community Board at least 30 days prior to sending the renewal forms to the Authority.

**NOTE: Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.**

**ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL****1. Licensed Premises Information**Is your licensed premises closed?  YES  NOIf yes, is your license in safekeeping with the Authority?  YES  NOIf yes, do you wish for your license to remain in Safekeeping at Renewal?  YES  NOIf yes to any of the above, submit a statement giving the reason that the license is in Safekeeping and the date that is planned for the premises to re-open. *Please be aware that licenses cannot remain in Safekeeping for an indefinite period of time.*

Licensed Premises Name: Starjem LLC

License Serial #: 1027037

Trade Name (if applicable): Fresco By Scotto On The Go

Federal Employer Identification Number: [REDACTED]

**1a. Method of Operation: The following questions must be answered by all On-Premises license holders, including beer, beer & wine, or beer, wine & liquor**

Section 109 of the ABC Law requires a statement to be submitted indicating the type of establishment operated at the premises.

If you hold an **on-premises** license, please select the method of operation from the following list:

Restaurant     Catering Establishment     Club (i.e., Fraternal Org)     Hotel     Bed & Breakfast     Ball Park/Stadium/Arena  
 Bar/Tavern     Sports Bar     Cabaret     Night Club/Dance Club     Adult Entertainment     Country Club/ Golf Course

If dancing is permitted at the premises, who is be permitted to dance?  Patrons  Employees for entertainment  BothIf dancing is permitted, is there exotic dancing including, but not limited to, pole dancing and/or lap dancing?  YES  NOIs there topless entertainment at the premises?  YES  NO

**Please list any condition(s) or stipulation(s) associated with your current license that were agreed to with the local Municipality/ Community Board or placed on your license by the Authority. Attach additional sheets if necessary.**

NONE

**1b. Address of the Licensed Premises****If your address has been changed as a result of a 911 change, please provide proof of the change such as notification of the 911 address change from the local Municipality/Community Board.**

Licensed Premises Address: 40 East 52nd Street

City: New York

State: NY

Zip Code: 10022

County: New York

Email Address: elaina@frescobyscotto.com

Premises Telephone # (include area code): (212) 754-2700

Contact Phone # (include area code): (212) 972-7040

**Mailing Address (if different than premises address)**

Mailing Address: [REDACTED]

City: [REDACTED]

State: [REDACTED]

Zip Code: [REDACTED]

**1c. Landlord/Building Owner Name and Address - also required if building is owned by the licensee**

Landlord Name:	40 East 52nd Street L.P.	
Address:	345 Park Avenue	
City:	New York	State: NY
		Zip Code: 10154

**2. Arrest/Conviction Information**

Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been ARRESTED and/or CONVICTED during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations?

YES    NO    Previously Reported

If YES, complete the chart below. Submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If the charge(s) are not complete submit documentation showing your next court appearance. If necessary, attach additional sheets.

Name of the Defendant	Connection with Licensed Premise (licensee, officer)	Date of Offense	Nature of the arrest and/or conviction	Disposition

**3. Applicant Information and Certification**

The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions.

**A. Sole Proprietor (*This section must be completed, signed and dated by the sole proprietor.*)**

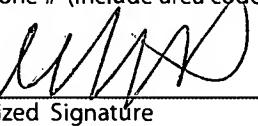
Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State:	Zip Code:
Telephone # (include area code):	Cell Phone # (include area code):	
Signature	Title	Date

**B. Partnership (This section must be completed, signed and dated by each partner.)**  
**Attach additional sheets if necessary**

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State:	Zip Code:
Telephone # (include area code):	Cell Phone # (include area code):	
Partner Signature	Title	Date

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State:	Zip Code:
Telephone # (include area code):	Cell Phone # (include area code):	
Partner Signature	Title	Date

**C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer.  
This principal should be the primary point of contact.)**

Print Name:	Elaina Scotto	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			
Authorized Signature				Title	1/23/15
					Date

**C. - Continued - All remaining Principals on the license must be listed below.  
(Attach additional sheets as needed to include all principals)**

Print Name:	Marion Scotto	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	LLC Member				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

Print Name:	Anthony Scotto, Jr	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	LLC Member				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

Print Name:	Rosanna Scotto	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	LLC Member				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

Print Name:	[REDACTED]	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	[REDACTED]				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

**D. Club (This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority.)**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address: <input type="text"/>					
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	<input type="text"/>				
Telephone # (include area code):	<input type="text"/>		Cell Phone # (include area code):	<input type="text"/>	
Authorized Signature	Title			Date	

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

Application Number	Bond Number	This bond expires in	Penal Sum of Bond
		2017	\$1,000.00 Plus Costs.

KNOW ALL MEN BY THESE PRESENTS, that we

Name of Applicant	Address of Place of Business
Starjem LLC dba Fresco On The Go	40 East 52nd Street, New York
in the county of <u>New York</u> , State of <u>NEW YORK</u> 10022, as Principal, and	
Name of Insurance Company	Address of Office or usual Place of Business
WESTERN SURETY COMPANY P.O. Box 5077 Sioux Falls, SD 57117-5077	

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect, subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless such revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In an action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective inscription, omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court or application of the State Liquor Authority to the People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety, and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety and its written or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this  
31 day of January 2015 9 E. 37TH ST., 4TH FLOOR, NEW

Name of issuing agency GLOBAL COVERAGE, INC. Address YORK, NY 10016-2897  
Phone # (212)683-2622

Starjem LLC dba Fresco On The Go L.S. WESTERN SURETY COMPANY  
Principal (Applicant/Licensee) Surety

BY: M.W.P. V.Pres BY: Paul T. Bruflat L.S.  
BY: Paul T. Bruflat, Senior Vice President.



# Western Surety Company

Rider to be attached to Bond No. [REDACTED]

## NEW YORK LIQUOR BOND RIDER

This rider is valid only when used to amend Retail On and Off Premises Bonds (Bond Form L-9, prescribed by the New York State Liquor Authority, June 3, 1974) where the penalty does not exceed One Thousand Dollars (\$1,000).

It is hereby mutually agreed and understood by and between the Principal, Starjem LLC dba Fresco On

The Go, and Western Surety Company, a corporation organized and existing under the laws of the State of South Dakota and authorized to transact business in New York State, as Surety, that

the principal's address on this bond has been changed as follows:

the principal(s) on this bond has(have) been changed as follows:

Starjem LLC dba Fresco By Scotto On The Go

the \_\_\_\_\_ date(s) of  
(enter effective date or expiration date or both)

this bond has(have) been changed as follows:

This bond is amended to include additional space included in the licensed premises:

The county has been amended to:

---

Nothing herein contained shall be held to vary, alter, waive, or extend any of the terms, limits, or conditions of the bond, except as hereinabove set forth.

This rider becomes effective on the 1st day of March, 2015, at twelve and one minute o'clock a.m., standard time.

Signed this 21st day of January, 2015.



BY: John J. Ples  
Principal

WESTERN SURETY COMPANY, Surety

BY: Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage

Certified Fee

Return Receipt Fee  
(Endorsement Required)

Restricted Delivery Fee  
(Endorsement Required)

Total Postage & Fees

Postmark  
Here

Reb  
STAR JEM



Sent To

Manhattan Community Board No. 5  
Street, Apt. No.: 450 Seventh Avenue, Suite 2109  
or PO Box No.  
City, State, ZIP+4  
New York NY 10123

### **Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

### **Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

FERRARI & FERRARI LLP

Attorneys at Law  
630 THIRD AVENUE, 18<sup>TH</sup> FLOOR, NEW YORK, N.Y. 10017  
(212) 972-7040  
TELECOPIER (212) 922-1939

ROBERT V. FERRARI  
[rvf@rvferrari.com](mailto:rvf@rvferrari.com)  
MICHAEL FERRARI  
[mf@rvferrari.com](mailto:mf@rvferrari.com)

January 14, 2015

Manhattan Community Board No. 5  
450 Seventh Avenue, Suite 2109  
New York, New York 10123

Re: Starjem LLC  
d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,



Mickola Mannings  
Paralegal/Secretary

Enclosure

Via Certified Mail/  
Return Receipt Requested

<input type="radio"/> Original	OFFICE USE ONLY
<input type="radio"/> Amended	Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a Local Municipality or Community Board**  
**(Page 1 of 2 of Form)**

1. Date Notice was Sent: (mm/dd/yyyy)

01/14/2015

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License

 New Application  Renewal  Alteration  Corporate Change

**This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board**

3. Name of Municipality or Community Board Manhattan Community Board No. 5

**Applicant/Licensee Information**

4. License Serial Number, if not New Application: 1027037

Expiration Date, if not New Application: 02/28/2015

5. Applicant or Licensee Name: Starjem LLC

6. Trade Name (if any): Fresco On The Go

7. Street Address of Establishment: 40 East 52nd Street

8. City, Town or Village: New York, NY Zip Code: 10022

9. Business Telephone Number of Applicant/Licensee: (212) 754-2700

10. Business Fax Number of Applicant/Licensee: (212) 754-1661

11. Business E-mail of Applicant/Licensee: elaina@frescobyscotto.com

**For New applicants, provide description below using all information known to date.**

**For Alteration applicants, attach complete description and diagram of proposed alteration(s).**

**For Current licensees, set forth approved Method of Operation only.**

**Do Not Use This Form to Change Your Method of Operation.**

12. Type(s) of Alcohol sold or to be sold: ("X" One)  Beer Only  Wine & Beer Only  Liquor, Wine & Beer13. Extent of Food Service: ("X" One)  Restaurant (Sale of food primarily; Full food menu; Kitchen run by chef)  Tavern/Cocktail Lounge/Adult Venue/Bar (Alcohol sales primarily; Meets legal minimum food availability requirements)14. Type of Establishment: ("X" all that apply)  Recorded Music  Live Music  Disc Jockey  Juke Box  Karaoke Bar  Stage Shows  Patron Dancing (small scale)  Cabaret, Night Club (Large Scale Dance Club)  Catering Facility  Capacity of 600 or more patrons  Topless Entertainment  Restaurant  Hotel  Recreational Facility (Sports Facility/Vessel)  Club (e.g. Golf Club/Fraterna Org.)  Bed & Breakfast  Seasonal Establishment15. Licensed Outdoor Area: ("X" all that apply)  None  Patio or Deck  Rooftop  Garden/Grounds  Freestanding Covered Structure  Sidewalk Cafe  Other (specify): \_\_\_\_\_

State of New York  
 Executive Department  
 Division of Alcoholic Beverage Control  
 State Liquor Authority

<input type="radio"/> Original	OFFICE USE ONLY
<input type="radio"/> Amended	Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a Local Municipality or Community Board**  
**(Page 2 of 2 of Form)**

16. List the floor(s) of the building that the establishment is located on:

17. List the room number(s) the establishment is located in within the building, if appropriate:

18. Is the premises located with 500 feet of three or more on-premises liquor establishments?  Yes  No

19. Will the license holder or a manager be physically present within the establishment during all hours of operation?  Yes  No

20. Does the applicant or licensee own the building in which the establishment is located? ("X" One)  Yes (If Yes SKIP 21-24)  No

**Owner of the Building in Which the Licensed Establishment is Located**

21. Building Owner's Full Name:

22. Building Owner's Street Address:

23. City, Town or Village:  State:  Zip Code:

**Attorney Representing the Applicant in Connection with the Applicant's License Application Noted as Above for the Establishment Identified in this Notice**

25. Attorney's Full Name:

26. Attorney's Street Address:

27. City, Town or Village:  State:  Zip Code:

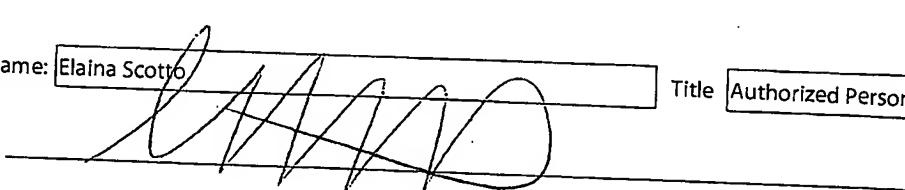
28. Business Telephone Number of Attorney:

29. Business Email Address of Attorney:

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

30. Printed Name:  Title:

Signature: X 



<input type="radio"/> Original	<input type="radio"/> Amended	Date _____
--------------------------------	-------------------------------	------------

-136

**STATE OF NEW YORK**  
**NOTICE OF APPEARANCE**

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

**Agency:** NYS Liquor Authority

**Date:** 1/26/2015

**Division/Bureau:** Renewals

**1. Name of individual appearing:** Ferrari & Ferrari LLP- By Michael Ferrari

**Address:** 630 Third Avenue, 18th Floor, New York, NY 10017

**Telephone:** (212) 972-7040

**Email:** mf@rvferrari.com

**2. Client represented:** Starjem LLC d/b/a Fresco By Scotto On The Go- Serial No. 1027037

**Address:** 40 East 52nd Street, New York, NY 10022

**Telephone:** (212) 754-2700

**3. Subject of appearance:**  **Regulatory/Enforcement**  **Lobbying**

Filing application for renewal of on-premises liquor license.

**4. Acting in capacity of:**

**Attorney**  **Lobbyist**  **Agent**

**Other (describe)** \_\_\_\_\_

**5. Are you being compensated?**  **Yes**  **No**

If YES, Check FEE or SALARY  **FEE**  **SALARY**

**6. Signature of individual appearing:** Michael Ferrari

**7. Agency official (print name):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.



STATE OF NEW YORK

EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY

ALFRED E. SMITH BUILDING  
80 SOUTH SWAN STREET, SUITE 900  
ALBANY, NY 12210-8002  
[www.sla.ny.gov](http://www.sla.ny.gov)

ANDREW M. CUOMO  
GOVERNOR

DENNIS ROSEN  
CHAIRMAN

JEANIQUE GREENE  
COMMISSIONER

KEVIN KIM  
COMMISSIONER

STARJEM LLC  
40 E 52ND STREET  
NEW YORK, NY 10022  
[elaina@frescobyscotto.com](mailto:elaina@frescobyscotto.com)

Date: 2/4/15      Batch #6718      Item #19      Serial #1027037

**THIS WILL BE THE ONLY NOTICE SENT. FAILURE TO COMPLY WITHIN 15 DAYS MAY RESULT IN THE DISAPPROVAL OF YOUR RENEWAL APPLICATION**

Submit Copy of Certificate of Assumed Name Filing Receipt or Business Certificate (Trade or DBA name)

**HOWEVER, YOU MUST SUBMIT THE NECESSARY PAPERWORK WITHIN 15 DAYS OF THIS NOTICE. FAILURE TO DO SO COULD RESULT IN DISCIPLINARY CHARGES BROUGHT AGAINST YOU.**

**Please return the items requested to the address above or email to  
Renewals@sla.ny.gov.**

**Be sure to indicate the Serial # of your license.**

**FERRARI & FERRARI LLP**

Attorneys at Law

630 Third Avenue, 18<sup>th</sup> floor, New York, N.Y. 10017  
(212) 972-7040  
TELECOPIER (212) 922-1939

ROBERT V. FERRARI  
[rvf@rvferrari.com](mailto:rvf@rvferrari.com)  
MICHAEL FERRARI  
[mf@rvferrari.com](mailto:mf@rvferrari.com)

February 5, 2015

Sent via email:

New York State Liquor Authority  
80 South Swan Street, Suite 900  
New York, NY 12210-8002  
Attn: Renewals.

Re: Starjem LLC d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street, New York, New York 10022  
Serial No. 1027037

Dear Sir/Madam,

In response to the recent deficiency renewal letter dated February 4, 2015 for the above referenced matter, the renewal application was sent to the Authority with the wrong the trade name of Fresco By Scotto On The Go. Please note the trade name has not changed and remains Fresco On The Go. Please see attached bond rider with the correct trade name, a copy of the deficiency letter, and the amended page 2 of the renewal application with correct the trade name.

If you have any questions please feel free to contact our office.

Sincerely,

  
Michael Ferrari

**RETAIL-RENEWAL**

ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL

**1. Licensed Premises Information**Is your licensed premises closed?  YES  NOIf yes, is your license in safekeeping with the Authority?  YES  NOIf yes, do you wish for your license to remain in Safekeeping at Renewal?  YES  NO

If yes to any of the above, submit a statement giving the reason that the license is in Safekeeping and the date that is planned for the premises to re-open. Please be aware that licenses cannot remain in Safekeeping for an indefinite period of time.

Licensed Premises Name:	Starjem LLC	License Serial #:	1027037
Trade Name (if applicable):	Fresco On The Go		
Federal Employer Identification Number:			

**1a. Method of Operation: The following questions must be answered by all On-Premises license holders, including beer, beer & wine, or beer, wine & liquor**

Section 109 of the ABC Law requires a statement to be submitted indicating the type of establishment operated at the premises.

If you hold an on-premises license, please select the method of operation from the following list:

Restaurant  Catering Establishment  Club (i.e., Fraternal Org)  Hotel  Bed & Breakfast  Ball Park/Stadium/Arena  
 Bar/Tavern  Sports Bar  Cabaret  Night Club/Dance Club  Adult Entertainment  Country Club/ Golf Course

If dancing is permitted at the premises, who is be permitted to dance?  Patrons  Employees for entertainment  BothIf dancing is permitted, Is there exotic dancing including, but not limited to, pole dancing and/or lap dancing?  YES  NOIs there topless entertainment at the premises?  YES  NO

Please list any condition(s) or stipulation(s) associated with your current license that were agreed to with the local Municipality/ Community Board or placed on your license by the Authority.  
 Attach additional sheets if necessary.

NONE
------

**1b. Address of the Licensed Premises**

If your address has been changed as a result of a 911 change, please provide proof of the change such as notification of the 911 address change from the local Municipality/Community Board.

Licensed Premises Address: 40 East 52nd Street

City: New York State: NY Zip Code: 10022

County: New York Email Address: elaina@frescobyscotto.com

Premises Telephone # (include area code): (212) 754-2700 Contact Phone # (include area code): (212) 972-7040

**Mailing Address (if different than premises address)**

Mailing Address:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_



# Western Surety Company

Rider to be attached to Bond No. 24883192

## NEW YORK LIQUOR BOND RIDER

This rider is valid only when used to amend Retail On and Off Premises Bonds (Bond Form L-9, prescribed by the New York State Liquor Authority, June 3, 1974) where the penalty does not exceed One Thousand Dollars (\$1,000).

It is hereby mutually agreed and understood by and between the Principal, Starjem LLC

, and Western Surety Company, a corporation organized and existing under the laws of the State of South Dakota and authorized to transact business in New York State, as Surety, that

the principal's address on this bond has been changed as follows:

the principal(s) on this bond has(have) been changed as follows:

Starjem LLC dba Fresco On The Go

the \_\_\_\_\_ date(s) of  
this bond has(have) been changed as follows:

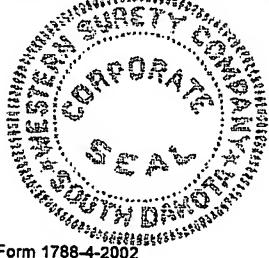
This bond is amended to include additional space included in the licensed premises:

The county has been amended to:

Nothing herein contained shall be held to vary, alter, waive, or extend any of the terms, limits, or conditions of the bond, except as hereinabove set forth.

This rider becomes effective on the 31st day of January, 2015, at twelve and one minute o'clock a.m., standard time.

Signed this 9th day of February, 2015.



Form 1788-4-2002

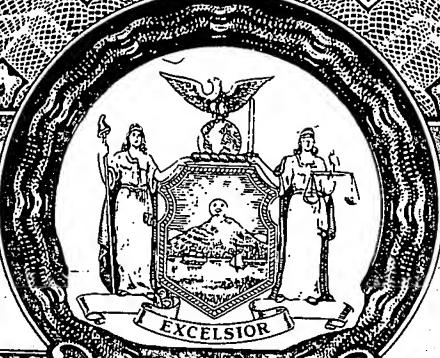
BY: \_\_\_\_\_

Principal

WESTERN SURETY COMPANY, Surety

BY: Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President

ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK



EFFECTIVE DATE: 02/10/2015  
EXPIRATION DATE: 2/28/2017  
CERTIFICATE #: 844330

# NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

METHOD OF OPERATION  
RESTAURANT SERVING BEER WINE AND LIQUOR

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE	\$90.00
LICENSE FEE	\$4,352.00

Dennis Rosen  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No. B844330

FOLD AND TEAR HERE

FOLD AND TEAR HERE



# State Liquor Authority

742385

ANDREW M. CUOMO  
Governor

RECEIVED FEB 13 2017

VINCENT G. BRADLEY  
Chairman

GREELEY FORD  
Commissioner

## RENEWAL ADVISORY

Serial #: 1027037

NEW / OP / 252

New Effective Date: 03/01/2017

New Expiration Date: 02/28/2019

Premises Address:

STARJEM LLC  
40 E 52ND STREET  
NEW YORK, NY 10022

License Fee: \$4,352.00

Filing Fee: \$90.00

**TOTAL FEE DUE: \$4,442.00**

1/6

*This letter is to notify you that your current license is due to expire on 02/28/2017. The renewal procedures have changed so please review all forms / instructions carefully.*

**THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.**

**APPLICANTS SHOULD KEEP A COPY OF THE RENEWAL APPLICATION AND ALL SUPPORTING DOCUMENTS FOR THEIR RECORDS**

*The renewal application form can be found on the Authority's website at [www.sla.ny.gov/renewals](http://www.sla.ny.gov/renewals)*

*You must complete the renewal application and return it with this renewal advisory to the address below:*

M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267

**You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.**

The required Community Board notice form for New York City on-premises licensees is also available on our website. You must notify the Community Board at least 30 days prior to sending the renewal forms to the Authority.

**NOTE:** Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.

FOR RENEWAL INFORMATION VISIT OUR WEBSITE

[www.sla.ny.gov/renewals](http://www.sla.ny.gov/renewals)

If Undeliverable Return To:  
NYS Liquor Authority  
80 S. Swan St., Suite 900  
Albany, NY 12210



U.S. POSTAGE » PITNEY BOWES  
  
ZIP 12223 \$ 000.46<sup>5</sup>  
02 1W  
0001400012 NOV. 30. 2016

**STARJEM LLC  
40 E 52ND STREET  
NEW YORK, NY 10022**

## **IMPORTANT – LICENSE RENEWAL ADVISORY**

1602285914 CG74

Application Number	Bond Number	This bond expires in	Penal Sum of Bond
		2019	\$1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we

Name of Applicant	Address of Place of Business
Starjem LLC dba Fresco On The Go	of 40 East 52nd Street, New York
in the county of New York	, State of NEW YORK 10022, as Principal, and
Name of Insurance Company	Address of Office or usual Place of Business
WESTERN SURETY COMPANY	P.O. Box 5077 Sioux Falls, SD 57117-5077

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect: subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In an action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective inscription or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond, and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety, and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. The bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety and the printed or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this  
31 day of January 2017 9 E. 37TH ST., 4TH FLOOR, NEW

Name of issuing agency GLOBAL COVERAGE, INC. Address YORK, NY 10016-2897  
Phone # (212)683-2622

Starjem LLC dba Fresco On The Go L.S. WESTERN SURETY COMPANY  
Principal/Applicant/Licensee Surety

BY: *[Signature]* BY: *[Signature]* L.S.  
Paul T. Bruflat, Vice President

## RENEWAL APPLICATION / INSTRUCTION FORM

**PLEASE ALLOW TEN(10) BUSINESS DAYS FOR PROCESSING. BE ADVISED THAT ANY DEFICIENCY IN THE APPLICATION OR FAILURE TO PROVIDE ALL SUPPORTING DOCUMENTATION WILL DELAY THE PROCESSING OF YOUR RENEWAL OR MAY LEAD TO THE DISAPPROVAL OF YOUR RENEWAL.**

**The following documents are required to be submitted by all NYS Retail Licensees:**

- Renewal Advisory
- Completed Renewal Application form (all pages)
- Submit a check or money order payable to New York State Liquor Authority in the total amount as shown on the Renewal Advisory.
- Original surety bond in the appropriate amount; **SIGNED BY THE LICENSEE**; and with the expiration of the bond being the same as the license expiration date on the Renewal Advisory . The bond must have the premises name and address typed exactly as it appears on your license certificate.

### REQUIRED FOR NEW YORK CITY ON-PREMISES LICENSEES ONLY:

Submit a copy of the *Standardized Notice Form for providing a 30-Day Advance Notice to a local Community Board* as required by Section 110 (b)(b) of the ABC Law that was sent to the Community Board. This section of the ABC Law requires that all on-premises licensees (whether licensed for beer; beer& wine; or beer, wine & liquor) located within the city of New York notify the Community Board that they are renewing their license.

Also submit proof of how the *Standardized 30-day Notice Form to the Community Board* was sent which consists of:

- a. A copy of the certified mail receipt or a copy of the certified mail card - return receipt requested; or
- b. A copy of the delivery receipt from a commercially recognized delivery service; or
- c. A copy of the Standardized Notice Form form date-stamped by the Community Board.

### If applicable, submit the following:

- Notice of appearance if an attorney or representative assisted in completing this renewal application.

If the Trade Name has changed since the last renewal filing you must also include an Assumed Name Filing Receipt  from the NYS Dept. of State (for a corporation, Inc, LLC, LP or Ltd.) or a Business Certificate from the County Clerk's office (for sole proprietors) with the renewal application.

***The only change that can be made during the Renewal process is the Trade Name (DBA) change. If there have been any changes to the principals of the license, any physical changes to the establishment or changes to the approved method of operation you must file the appropriate change application that can be found on our website at: [www.sla.ny.gov](http://www.sla.ny.gov). You must receive approval from the Authority before making any such changes.***

The completed application and any supporting information, including the **Renewal Advisory**, must be mailed to the address below:

**M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267**

ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL

**1. Licensed Premises Information**Is your licensed premises closed?  YES  NOIf yes, is your license in safekeeping with the Authority?  YES  NOIf yes, do you wish for your license to remain in Safekeeping at Renewal?  YES  NO

If yes to any of the above, submit a statement giving the reason that the license is in Safekeeping and the date that is planned for the premises to re-open. Please be aware that licenses cannot remain in Safekeeping for an indefinite period of time.

Licensed Premises Name: Starjem LLC

License Serial #: 1027037

Trade Name (if applicable): Fresco On The Go

Federal Employer Identification Number: [REDACTED]

**1a. Method of Operation: The following questions must be answered by all On-Premises license holders, including beer, beer & wine, or beer, wine & liquor**

Section 109 of the ABC Law requires a statement to be submitted indicating the type of establishment operated at the premises.

If you hold an **on-premises** license, please select the method of operation from the following list: Restaurant  Catering Establishment  Club (i.e., Fraternal Org)  Ball Park/Stadium/Arena  Cabaret  Bed & Breakfast Bar/Tavern  Adult Entertainment  Night Club/Dance Club  Country Club/ Golf Course  Hotel  Sports BarIf dancing is permitted at the premises, who is be permitted to dance?  Patrons  Employees  Both  Not ApplicableIf dancing is permitted, is there exotic dancing (i.e.pole dancing, lap dancing, etc.)?  YES  NO  Not ApplicableIs there topless entertainment at the premises?  YES  NO

Please list any condition(s) or stipulation(s) associated with your current license that were agreed to with the local Municipality/ Community Board or placed on your license by the Authority. Attach additional sheets if necessary.

None

**1b. Address of the Licensed Premises**

Licensed Premises Address: 40 East 52nd Street

\*Required

City: New York

State: NY

Zip Code: 10022

County: New York

Email Address:  
\*Required

elaina@frescobyscotto.com

Premises Telephone # (include area code):

(212) 754-2700

\*Required

Contact Phone # (include area code):

(212) 972-7040

If the address your premise is know by has changed as a result of a 911 update, provide a copy of the 911 address notification form, a letter from the local municipality, or other proof of the address update.

**Mailing Address (if different than premises address)**

Mailing Address: [REDACTED]

City: [REDACTED]

State: [REDACTED]

Zip Code: [REDACTED]

**1c. Landlord/Building Owner Name and Address - also required if building is owned by the licensee**

Landlord Name: 40 East 52nd Street L.P.

Address: 345 Park Avenue

City: New York State: NY Zip Code: 10154

**2. Arrest/Conviction Information**

Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been ARRESTED and/or CONVICTED during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations?

YES     NO     Previously Reported

If YES, complete the chart below. Submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If the charge(s) are not complete submit documentation showing your next court appearance. If necessary, attach additional sheets.

Name of the Defendant	Connection with Licensed Premise (licensee, officer)	Date of Offense	Nature of the arrest and/or conviction	Disposition

**3. Applicant Information and Certification**

The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions.

**A. Sole Proprietor (*This section must be completed, signed and dated by the sole proprietor.*)**

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State:	Zip Code:
Telephone # (include area code):		Cell Phone # (include area code):
Signature		Title
		Date

**B. Partnership (This section must be completed, signed and dated by each partner.)**  
**Attach additional sheets if necessary**

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State:	Zip Code:
Telephone # (include area code):	Cell Phone # (include area code):	
Partner Signature	Title	Date

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State:	Zip Code:
Telephone # (include area code):	Cell Phone # (include area code):	
Partner Signature	Title	Date

**C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer.  
This principal should be the primary point of contact.)**

Print Name:	Elaina Scotto	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area-code):		Cell Phone # (include area code):			
Authorized Signature	V Pres			1/24/17	
	Title	Date			

**C. - Continued - All remaining Principals on the license must be listed below.****(Attach additional sheets as needed to include all principals)**

Print Name:	Marion Scotto	Date of Birth:	[REDACTED]	Social Security #	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	LLC Member				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

Print Name:	Anthony Scotto, Jr	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	LLC Member				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

Print Name:	Rosanna Scotto	Date of Birth:	[REDACTED]	Social Security #	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	LLC Member				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

Print Name:	[REDACTED]	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:					
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

**D. Club (This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority.)**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	<input type="text"/>				
Telephone # (include area code):	<input type="text"/>		Cell Phone # (include area code): <input type="text"/>		
Authorized Signature		Title		Date	



<input type="radio"/> Original	<input type="radio"/> Amended	Date _____
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-136

## STATE OF NEW YORK

### NOTICE OF APPEARANCE

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

**Agency:** NYS Liquor Authority

**Date:** 2/7/2017

**Division/Bureau:** Renewals

**1. Name of individual appearing:** Ferrari & Ferrari LLP- By Michael Ferrari

**Address:** 630 Third Avenue, 18th Floor, New York, NY 10017

**Telephone:** (212) 972-7040

**Email:** mf@rvferrari.com

**2. Client represented:** Starjem LLC d/b/a Fresco By Scotto On The Go- Serial No. 1027037

**Address:** 40 East 52nd Street, New York, NY 10022

**Telephone:** (212) 754-2700

**3. Subject of appearance:**  Regulatory/Enforcement  Lobbying

Filing application for renewal of on-premises liquor license.

**4. Acting in capacity of:**

Attorney  Lobbyist  Agent

Other (describe) \_\_\_\_\_

**5. Are you being compensated?**  Yes  No

If YES, Check FEE or SALARY  FEE  SALARY

**6. Signature of individual appearing:** Michael Ferrari

**7. Agency official (print name):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

701306000129724024

Postage	\$	666-599
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	6.75

6/20/11 NEW YORK, NY  
Jemilic  
FEDERAL EXPRESS

Sent To  
Manhattan CB 5  
Street, Apt. No.  
or PO Box No.  
City, State, ZIP+4  
New York NY 10123

### **Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

### **Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

**FERRARI & FERRARI LLP**

Attorneys at Law  
630 Third Avenue, 18<sup>th</sup> floor, New York, N.Y. 10017  
(212) 972-7040  
TELECOPIER (212) 922-1939

ROBERT V. FERRARI  
[rvf@rvferrari.com](mailto:rvf@rvferrari.com)  
MICHAEL FERRARI  
[mf@rvferrari.com](mailto:mf@rvferrari.com)

January 5, 2017

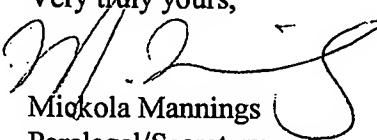
Manhattan Community Board No. 5  
450 Seventh Avenue, Suite 2109  
New York, New York 10123

Re: Starjem LLC  
d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,  
  
Mickola Mannings  
Paralegal/Secretary

Enclosure

Via Certified Mail/  
Return Receipt Requested

<input type="radio"/> Original	<input type="radio"/> Amended	OFFICE USE ONLY Date _____
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**State Liquor Authority      Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a Local Municipality or Community Board**

(Page 1 of 2)

1. Date Notice Was Sent: **1/4/2017**1a. Delivered by: **Certified Mail Return Receipt Requested**

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License

New Application  Renewal  Alteration  Corporate Change  Removal  Class Change

For New applicants, answer each question below using all information known to date.

For Renewal applicants, set forth your approved Method of Operation only.

For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s).

For Corporate Change applicants, attach a list of the current and proposed corporate principals.

For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation.

For Class Change applicants, attach a statement detailing your current license type and your proposed license type.

**This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board**3. Name of Municipality or Community Board: **Manhattan Community Board No. 5****Applicant/Licensee Information**4. License Serial Number, if Applicable: **1027037** Expiration Date, if Applicable: **Feb 28, 2017**5. Applicant or Licensee Name: **Starjem LLC**6. Trade Name (if any): **Fresco On The Go**7. Street Address of Establishment: **40 East 52nd Street**8. City, Town or Village: **New York**, NY Zip Code: **10022**9. Business Telephone Number of Applicant/Licensee: **(212) 754-2700**10. Business Fax Number of Applicant/Licensee: **(212) 754-1661**11. Business E-mail of Applicant/Licensee: **elaina@frescobyscotto.com**12. Type(s) of Alcohol sold or to be sold:  Beer & Cider  Wine, Beer & Cider  Liquor, Wine, Beer & Cider13. Extent of Food Service:  Full food menu;  Menu meets legal minimum food availability requirements;  
Full Kitchen run by a chef or cook  Food prep area at minimum14. Type of Establishment: **Restaurant**

15. Method of Operation:  
(Check all that apply)

Seasonal Establishment  Juke Box  Disc Jockey  Recorded Music  Karaoke  
 Live Music (Give details: i.e. rock bands, acoustic, jazz, etc.): \_\_\_\_\_  
 Patron Dancing  Employee Dancing  Exotic Dancing  Topless Entertainment  
 Video/Arcade Games  Third Party Promoters  Security Personnel  
 Other (specify): \_\_\_\_\_

16. Licensed Outdoor Area:  
(Check all that apply)

None  Patio or Deck  Rooftop  Garden/Grounds  Freestanding Covered Structure  
 Sidewalk Cafe  Other (specify): \_\_\_\_\_

<input type="radio"/> Original	<input type="radio"/> Amended	OFFICE USE ONLY Date _____
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**State Liquor Authority**

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a Local Municipality or Community Board**  
**(Page 2 of 2)**

17. List the floor(s) of the building that the establishment is located on: **First Floor**

18. List the room number(s) the establishment is located in within the building, if appropriate: **n/a**

19. Is the premises located within 500 feet of three or more on-premises liquor establishments?  Yes  No

20. Will the license holder or a manager be physically present within the establishment during all hours of operation?  Yes  No

21. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee.  
\_\_\_\_\_

22. Does the applicant or licensee own the building in which the establishment is located?  Yes (If Yes SKIP 23-26)  No

**Owner of the Building in Which the Licensed Establishment is Located**

23. Building Owner's Full Name: **40 East 52nd Street LP.**

24. Building Owner's Street Address: **345 Park Avenue**

25. City, Town or Village: **New York** State: **NY** Zip Code: **10154**

26. Business Telephone Number of Building Owner: **212-407-2472**

**Representative or Attorney representing the Applicant in Connection with the application for a license to traffic in alcohol at the establishment identified in this notice**

27. Representative/Attorney's Full Name: **Ferrari & Ferrari LLP- Michael Ferrari**

28. Street Address: **630 Third Avenue, 18th Floor**

29. City, Town or Village: **New York** State: **NY** Zip Code: **10017**

30. Business Telephone Number of Representative/Attorney: **(212) 972-7040**

31. Business Email Address: **mff@vferrari.com**

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.

32. Printed Name: **Elaina Scotto** Title: **LLC Member**

Signature: X

**FERRARI & FERRARI LLP**

Attorneys at Law

630 Third Avenue, 18<sup>th</sup> floor, New York, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

ROBERT V. FERRARI

rvf@rvferrari.com

MICHAEL FERRARI

mf@rvferrari.com

February 7, 2017

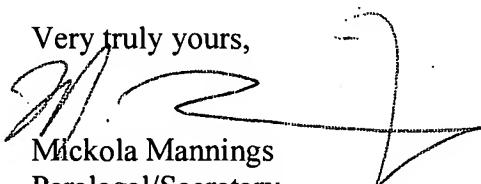
M&T Bank Lockbox  
New York State Liquor Authority  
P.O. Box 8000- Dept. 930  
Buffalo, New York 14267

Re: Starjem Restaurant Corp d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street  
New York, NY 10022  
Serial No. 1027037

Dear Sir/Madam,

Enclosed please find the completed filing application for the renewal of an on-premise liquor license.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,  
  
Mickola Mannings  
Paralegal/Secretary

ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK



EFFECTIVE DATE: 02/21/2017  
EXPIRATION DATE: 02/28/2019  
CERTIFICATE #: 871855

## NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

### METHOD OF OPERATION

RESTAURANT SERVING BEER CIDER WINE AND LIQUOR

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE	\$90.00
LICENSE FEE	\$4,352.00

*Vincent G. Bradley Jr.*  
Vincent G. Bradley  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No. B0871855

FOLD AND TEAR HERE

FOLD AND TEAR HERE

1/18

RECEIVED FEB 21 2019

# NEW YORK STATE LIQUOR AUTHORITY

## RENEWAL ADVISORY

510560

Serial #: 1027037

Key: 191NEWOP0008460252

Lieense fee:	4,352.00
Filing fee:	90.00
Total fee due:	4,442.00

New effective date:	03/01/2019
New expiration date:	02/28/2021

Premises Address:

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

*This letter is to notify you that your current license/permit is due to expire on 02/28/2019.  
The renewal procedures have changed so please review all forms / instructions carefully.*

**THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.**

*The renewal application form can be found on the Authority's website at  
[www.sla.ny.gov/renewals](http://www.sla.ny.gov/renewals)*

You must complete the renewal application and return it with this renewal advisory to the address below:

M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267

**NOTE: Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.**

You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.

**All on-premises applicants located within the five (5) boroughs of New York City (whether beer; beer & wine; or beer, wine & liquor) are required to notify the local Community Board at least 30 days prior to filing their renewal application with the NYS Liquor Authority (per Section 110(b) of the ABC Law).**

**THE STANDARDIZED COMMUNITY BOARD/MUNICIPALITY NOTICE AND PROOF OF DELIVERY MUST BE SUBMITTED WITH THIS APPLICATION.**

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

Application Number	Bond Number	This bond expires in	Penal Sum of Bond
		2021	\$1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we

Name of Applicant	Address of Place of Business
Starjem LLC dba Fresco On The Go	of 40 East 52nd Street, New York

in the county of New York, State of NEW YORK 10022, as Principal, and

Name of Insurance Company	Address of Office or usual Place of Business
WESTERN SURETY COMPANY	P.O. Box 5077 Sioux Falls, SD 57117-5077

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect: subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In an action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective inscription or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond, further waiving any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety, and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety, and either typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this  
31 day of January 2019 . 9 E. 37TH ST., 4TH FLOOR, NEW

Name of issuing agency GLOBAL COVERAGE, INC. Address YORK, NY 10016-2897  
Phone # (212)683-2622

Starjem LLC dba Fresco On The Go L.S. WESTERN SURETY COMPANY

Principal (Applicant/Licensee)

Surety

BY: Paul T. Bruflat L.S.

Paul T. Bruflat, Vice President

ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL

**1. Licensed Premises Information**Is your licensed premises closed?  YES  NOIf yes, is your license in safekeeping with the Authority?  YES  NOIf yes, do you wish for your license to remain in Safekeeping at Renewal?  YES  NO

If yes to any of the above, submit a statement giving the reason that the license is in Safekeeping and the date that is planned for the premises to re-open. Please be aware that licenses cannot remain in Safekeeping for an indefinite period of time.

Licensed Premises Name:	Starjem LLC	License Serial #:	1027037
Trade Name (if applicable):	Fresco On The Go		
Federal Employer Identification Number:			

**1a. Method of Operation: The following questions must be answered by all On-Premises license holders, including beer, beer & wine, or beer, wine & liquor**

Section 109 of the ABC Law requires a statement to be submitted indicating the type of establishment operated at the premises.

If you hold an **on-premises** license, please select the method of operation from the following list:

Restaurant  Catering Establishment  Club (i.e., Fraternal Org)  Ball Park/Stadium/Arena  Cabaret  Bed & Breakfast  
 Bar/Tavern  Adult Entertainment  Night Club/Dance Club  Country Club/ Golf Course  Hotel  Sports Bar

If dancing is permitted at the premises, who is be permitted to dance?  Patrons  Employees  Both  Not ApplicableIf dancing is permitted, is there exotic dancing (i.e.pole dancing, lap dancing, etc.)?  YES  NO  Not ApplicableIs there topless entertainment at the premises?  YES  NO

Please list any condition(s) or stipulation(s) associated with your current license that were agreed to with the local Municipality/ Community Board or placed on your license by the Authority.  
 Attach additional sheets if necessary.

NONE

**1b. Address of the Licensed Premises**

Licensed Premises Address:	40 East 52nd Street		
*Required			
City:	New York	State:	NY
County:	New York	Email Address:	elaina@frescobyscotto.com
Premises Telephone # (include area code):	(212) 754-2700	Contact Phone # (include area code):	(212) 972-7040
*Required			

If the address your premise is know by has changed as a result of a 911 update, provide a copy of the 911 address notification form, a letter from the local municipality, or other proof of the address update.

**Mailing Address (if different than premises address)**

Mailing Address:			
City:	State:	Zip Code:	

**1c. Landlord/Building Owner Name and Address - also required if building is owned by the licensee**

Landlord Name:	40 East 52nd Street L.P.		
Address:	345 Park Avenue		
City:	New York	State:	NY
		Zip Code:	10154

**2. Arrest/Conviction Information**

Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been ARRESTED and/or CONVICTED during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations?

YES     NO     Previously Reported

If YES, complete the chart below. Submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If the charge(s) are not complete submit documentation showing your next court appearance. If necessary, attach additional sheets.

Name of the Defendant	Connection with Licensed Premise (licensee, officer)	Date of Offense	Nature of the arrest and/or conviction	Disposition

**3. Applicant Information and Certification**

The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions.

**A. Sole Proprietor (This section must be completed, signed and dated by the sole proprietor.)**

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State:	Zip Code:
Telephone # (include area code):		Cell Phone # (include area code):
Signature	Title	Date

**B. Partnership (This section must be completed, signed and dated by each partner.)**  
**Attach additional sheets if necessary**

Print Name:	[Redacted]	Date of Birth:	[Redacted]	Social Security #:	[Redacted]
Residence street address: [Redacted]					
City:	[Redacted]	State:	[Redacted]	Zip Code:	[Redacted]
Telephone # (include area code): [Redacted]		Cell Phone # (include area code): [Redacted]			
Partner Signature		Title		Date	

Print Name:	[Redacted]	Date of Birth:	[Redacted]	Social Security #:	[Redacted]
Residence street address: [Redacted]					
City:	[Redacted]	State:	[Redacted]	Zip Code:	[Redacted]
Telephone # (include area code): [Redacted]		Cell Phone # (include area code): [Redacted]			
Partner Signature		Title		Date	

**C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer.  
This principal should be the primary point of contact.)**

Print Name:	Elaina Scotto	Date of Birth:	[Redacted]	Social Security #:	[Redacted]
Residence street address: [Redacted]					
City:	[Redacted]	State:	[Redacted]	Zip Code:	[Redacted]
Title:	LLC Member				
Telephone # (include area code): [Redacted]		Cell Phone # (include area code): [Redacted]			
Authorized Signature		Title		Date	

*J. Jones*                            *2/4/19*

**C. - Continued - All remaining Principals on the license must be listed below.  
(Attach additional sheets as needed to include all principals)**

Print Name:	Marion Scotto	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	LLC Member				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

Print Name:	Anthony Scotto, Jr	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	LLC Member				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

Print Name:	Rosanna Scotto	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:	LLC Member				
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

Print Name:	[REDACTED]	Date of Birth:	[REDACTED]	Social Security #:	[REDACTED]
Residence street address: [REDACTED]					
City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Title:					
Telephone # (include area code):	[REDACTED]	Cell Phone # (include area code): [REDACTED]			

**D. Club (This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority.)**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	<input type="text"/>				
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Authorized Signature		Title		Date	

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### **Certified Mail Provides:**

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### ***Important Reminders:***

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is not available for any class of International mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**



FARBER  
SCHNEIDER  
FERRARI  
LLP

MICKOLA MANNINGS, PARALEGAL  
[MMANNINGS@FSFLP.COM](mailto:MMANNINGS@FSFLP.COM)

January 15, 2019

**VIA Certified Mail:**

Manhattan Community Board No. 5  
450 Seventh Avenue, Suite 2109  
New York, New York 10123

Re: Starjem LLC  
d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

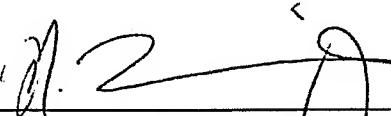
Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Yours very truly,

FARBER SCHNEIDER FERRARI LLP

By: 

Mickola Mannings

## Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice was Sent: **01/15/2019**1a. Delivered by: **Certified Mail Return Receipt Requested**

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

New Application    Renewal    Alteration    Corporate Change    Removal    Class Change    Method of Operation Change

For New applicants, answer each question below using all information known to date

For Renewal applicants, answer all questions

For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For Corporate Change applicants, attach a list of the current and proposed corporate principals

For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For Class Change applicants, attach a statement detailing your current license type and your proposed license type

For Method of Operation Change applicants, although not required, if you choose to submit, attach an explanation detailing those changes

**This 30-Day Advance Notice Is Being Provided to the Clerk of the Following Local Municipality or Community Board:**

3. Name of Municipality or Community Board: **Manhattan Community Board No. 5**

**Applicant/Licensee Information:**

4. Licensee Serial Number (If applicable): **1027037**Expiration Date (if applicable): **02/28/2019**5. Applicant or Licensee Name: **Starjem LLC**6. Trade Name (if any): **Fresco On The Go**7. Street Address of Establishment: **40 East 52nd Street**8. City, Town or Village: **New York**, NY Zip Code: **10022**9. Business Telephone Number of Applicant/Licensee: **(212) 754-2700**10. Business E-mail of Applicant/Licensee: **elaina@frescobyscotto.com**11. Type(s) of alcohol sold or to be sold:  Beer & Cider    Wine, Beer & Cider    Liquor, Wine, Beer & Cider

12. Extent of Food Service:

Full food menu; full kitchen run by a chef or cook    Menu meets legal minimum food availability requirements; food prep area at minimum

13. Type of Establishment: **Restaurant (full kitchen and full menu required)**

14. Method of Operation: (check all that apply)  Seasonal Establishment    Juke Box    Disc Jockey    Recorded Music    Karaoke

Live Music (give details i.e., rock bands, acoustic, jazz, etc.): \_\_\_\_\_

Patron Dancing    Employee Dancing    Exotic Dancing    Topless Entertainment

Video/Arcade Games    Third Party Promoters    Security Personnel

Other (specify): \_\_\_\_\_

15. Licensed Outdoor Area:  None    Patio or Deck    Rooftop    Garden/Grounds    Freestanding Covered Structure

Sidewalk Cafe    Other (specify): \_\_\_\_\_

## OFFICE USE ONLY

 Original     Amended

Date \_\_\_\_\_

16. List the floor(s) of the building that the establishment is located on: **First Floor**17. List the room number(s) the establishment is located in within the building, if appropriate: **n/a**18. Is the premises located within 500 feet of three or more on-premises liquor establishments?  Yes     No19. Will the license holder or a manager be physically present within the establishment during all hours of operation?  Yes     No

20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:

Name \_\_\_\_\_

Serial Number \_\_\_\_\_

21. Does the applicant or licensee own the building in which the establishment is located?  Yes (If YES, SKIP 23-26)     No**Owner of the Building In Which the Licensed Establishment Is Located**22. Building Owner's Full Name: **40 East 52nd Street L.P.**23. Building Owner's Street Address: **345 Park Avenue**24. City, Town or Village: **New York**    State: **NY**    Zip Code: **10154**25. Business Telephone Number of Building Owner: **(212) 407-2472****Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice**26. Representative/Attorney's Full Name: **Michael Ferrari**27. Representative/Attorney's Street Address: **261 Madison Avenue, 26th Floor**28. City, Town or Village: **New York**    State: **NY**    Zip Code: **10016**29. Business Telephone Number of Representative/Attorney: **(212) 972-7040**30. Business E-mail Address of Representative/Attorney: **mferrari@fsflip.com**

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.

31. Printed Principal Name: **Elaina Scotto**Title: **LLC Member****Principal Signature:**

# STATE OF NEW YORK

## NOTICE OF APPEARANCE

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (e.g., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

**Agency:** NYS Liquor Authority / Division of Alcoholic Beverage Control

**Date:** 02/12/2019

**Division / Bureau:** Renewals

**1. Name of individual appearing:** Michael Ferrari

**Address:** 261 Madison Avenue, 26th Floor

**Telephone:** (212) 972-7040

**E-mail:** mferrari@fsllp.com

**2. Client represented:** Starjem LLC d/b/a Fresco On the Go

**Address:** 40 East 52nd Street, New York, NY 10022

**Telephone:** (212) 754-2700

**3. Subject of appearance:**  Regulatory / Enforcement  Lobbying

Filing renewal application for Starjem LLC

**4. Acting in the capacity of:**  Attorney  Lobbyist  Agent  Other (describe below)

Description: \_\_\_\_\_

**5. Are you being compensated:**  Yes  No

If YES, Check FEE or SALARY:  FEE  SALARY

**6. Signature of individual appearing:** \_\_\_\_\_

**7. Agency official (printed name):** \_\_\_\_\_

Signature: Michael Ferrari

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.



FARBER  
SCHNEIDER  
FERRARI  
LLP

February 12, 2019

**M&T Lockbox**

New York State Liquor Authority  
P.O Box 8000- Dept. 930  
Buffalo, New York 14267

Re: Starjem LLC d/b/a Fresco on The Go  
40 East 52<sup>nd</sup> Street New York, NY 10022  
Serial No. 1027039

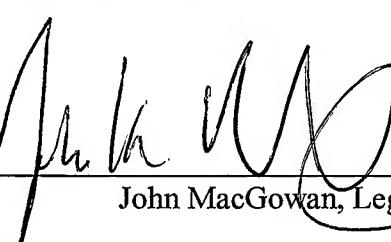
Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.  
This is being sent pursuant to the Alcoholic Beverage Control Law.

Yours very truly,

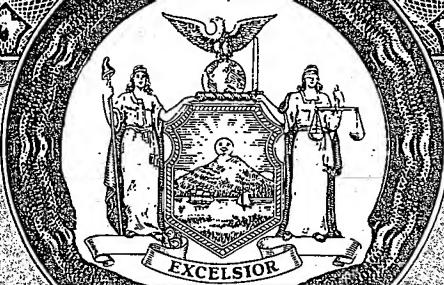
FARBER SCHNEIDER FERRARI LLP

By: \_\_\_\_\_

  
John MacGowan, Legal Assistant

Enclosed

ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK



EFFECTIVE DATE: 02/25/2019  
EXPIRATION DATE: 2/28/2021  
CERTIFICATE #: 902419

## NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

### METHOD OF OPERATION

RESTAURANT SERVING BEER CIDER WINE AND LIQUOR

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE	\$90.00
LICENSE FEE	\$4,352.00

Vincent G. Bradley  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No. B0902419

FOLD AND TEAR HERE

FOLD AND TEAR HERE

#	Received	Address	Type	Premise	Doing Business As	Corp Name	Disposition
88	1/23/2019	21 West 52nd Street	New	OP		Omakasa 31W52 LLC	NC
89	1/23/2019	40 Central Park South	Renewal	OP	Sarabeths	SBCPS LLC	NC
90	1/23/2019	1385 Broadway	New	OP	by CHLOE.	BC 1385 Broadway LLC	NC
91	1/23/2019	390 5th Avenue	Renewal	WB	W Café	390 Café Inc	NC
92	1/23/2019	242 West 56th Street	Renewal	OP	Szechuan Gourmet	Xing Yue Inc	NC
93	1/23/2019	1 West 54th Street	Renewal	OP	The University Club	University Club, The	NC
94	1/23/2019	40 East 52nd Street	Renewal	OP	Fresco On The Go	Starjem LLC	NC
95	1/23/2019	138 West 32nd Street (138-142 West 32nd	New	WB	Black Iron Go	TVA Bakery LLC	NC
96	1/24/2019	142 West 46th Street	New	OP	Prime Square Restaurant Corp	Bekim Koxha	NC
97	1/24/2019	111 West 50th Street AKA 1271 6th Avenue	Renewal	WB	Le Pain Quotidien	PQ 6th Ave Inc	NC
98	1/24/2019	340 Madison Avenue	Renewal	WB	Le Pain Quotidien	PQ 44th & Madison Inc	NC
99	1/24/2019	135 West 26th Street	Renewal	OP		Chik Associates LLC	NC
100	11/16/2018	156 West 38th Street AKA 515 7th Avenue	MO	OP	Jimmy's	200 MB Corp	NC with Affidavit
101	1/24/2019	37 West 44th Street (37 41 West 44th Street)	Renewal	OP	New York Yacht Club, The	New York Yacht Club, The	NC
102	1/25/2019	287 7th Avenue	Renewal	WB	brgr	Sunburger 1 LLL	NC
103	1/25/2019	700 8th Avenue - Booth 2	Renewal	WB		ILLI Box Row NYC LLC	NC
104	1/25/2019	17 West 32nd Street	Renewal	OP	La Quinta Manhattan	New Generationn Management Corp	NC
105	1/28/2019	230 Park Avenue Booth #14	New	WB	Black Iron Burger	BIB Vanderbilt Bakery LLC	NC
106	1/28/2019	450 Park Avenue South	Renewal	OP	PS 450	Vig Park Inc.	NC
107	1/28/2019	450 Park Avenue South	Renewal	OP	PS 450	Vig Park Inc.	NC
108	1/28/2019	43 West 54th Street	Renewal	OP	John Connolly's	Irish Town Inc.	NC
109	1/28/2019	810 7th Avenue	Renewal	OP	Convene	Sentry 810 Seventh LLC	NC
110	1/28/2019	41 East 20th Street	Renewal	OP	Mari Vanna	Ginza 2'LLC	NC
111	1/28/2019	32 East 21st Street	Renewal	OP	Hardings	Gravy New York LLC	NC
112	1/28/2019	225 West 44th Street	Renewal	OP	Shubert Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
113	1/28/2019	123 West 43rd Street	Renewal	OP	The Town Hall	Theatre Refreshment Co of NY inc & Sunlight	NC
114	1/28/2019	220 West 45th Street	Renewal	OP	Booth Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
115	1/28/2019	247 West 44th Street	Renewal	OP	Majestic Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
116	1/28/2019	242 West 45th Street	Renewal	OP	Jacobs Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
117	1/28/2019	252 West 45th Street	Renewal	OP	Golden Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
118	1/28/2019	149 West 45th Street	Renewal	OP	Lyceum Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
119	1/30/2019	244 West 56th Street	Renewal	OP	Da Vinci Hotel	Da Vinci Hotel Corp	NC

END OF DOCUMENT \*\*\*\*\*